

# **OKLAHOMA**

## **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 Oklahoma Department of Public Safety (DPS) is designated by the Secretary of Safety and Security, Michael C. Thompson, and at the direction of Governor Mary Fallin, as the lead Motor Carrier Safety Assistance Program (MCSAP) agency for the State. Oklahoma Highway Patrol (OHP) Troop S – Commercial Vehicle Enforcement (Troop S) is responsible for the regulation and enforcement of the Federal Motor Carrier Regulations (49 CFR Parts 40, 303, 325, 350-399), Hazardous Material Regulations (49 CFR Parts 100-185), and Oklahoma Statute Title 47. The State of Oklahoma adopted the FMCSRs and HMRs pertaining to motor carrier safety and hazardous materials transportation which can be found in Oklahoma Administrative Rules, Title 595 - Department of Public Safety. DPS provides Troop S financial and material support to execute this assigned task.

The OHP, a division of DPS, is dedicated to protecting the lives and property of all persons within the State of Oklahoma. This statement is affirmed in the Oklahoma Highway Patrol Operations Manual which proclaims “the primary function of the Oklahoma Highway Patrol is the protection of lives and property in the State of Oklahoma”. The OHP will actively pursue the reduction of collisions and fatalities involving large truck and passenger carriers through enforcing Oklahoma State Laws and the FMCSRs. In this pursuit, the OHP will assist the Federal Motor Carrier Safety Administration (FMCSA) in meeting its national goal in the reduction of large truck and passenger carrier-related fatalities.

Troop S will focus on problem-specific areas and/or activities of motor carriers and their drivers through random and selective roadside inspections, CMV and non-CMV traffic enforcement, Compliance Investigations, New Entrant Safety Audits, public and motor carrier outreach / education, and data collection. These priorities will ultimately aid in the reduction of collisions & fatalities involving large trucks and passenger carriers as well as criminal activity. This goal will be accomplished through planning using all available data, executing innovative and effective enforcement strategies, and reviewing our efforts on a quarterly basis and making adjustments as needed to attain our goal.

All laws and/or regulations, either State or Federal, pertaining to size & weight, CMV driver and non-CMV driver safety, CMV safety, and hazardous materials (HM) transportation will be administered fairly and impartially, focusing upon the ultimate goal of saving lives through highway safety. This effort will be approached as a partnership between State and Federal enforcement, FMCSA-regulated industry, the motoring public, and other entities concerned with highway safety. All available resources, including education and enforcement activities, will be utilized.

### 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.*

Troop S - Commercial Motor Vehicle Enforcement division is comprised of the following full time positions unless otherwise indicated: a Captain, Lieutenants, uniformed personnel (State Troopers and law enforcement officers), civilian personnel which includes - Safety Investigators, Port-of-Entry (POE) CMV inspectors, 1 part time DPS attorney, DPS IT support, civilian administrative staff members and civilian program consultant. The full time personnel conduct driver / vehicle inspections, Compliance Investigations, New Entrant Safety Audits, training, and outreach programs. The number of personnel assigned / employed in Troop S fluctuates throughout the year based on changes which include but not limited to: permanent or temporary assignments, promotions, retirements, and State Law requirements. Any vacant positions within the Troop are attempted to be filled as soon as practical and possible. Troop S also has numerous State Troopers assigned to the division on a part time basis to help Troop S fulfill its mission.

Troop S personnel are committed to reducing collisions and fatalities involving large trucks and passenger carriers by providing CMV education, training and enforcement. This dedication takes place through many activities involving Troop S funded through the MCSAP grant. First, Troop S full time and part time personnel are certified through Commercial Vehicle Safety Alliance (CVSA) in the North American Standard (NAS) roadside inspection conduct inspections of CMVs and their drivers. OHP uniformed personnel who are certified as roadside inspectors concentrate on mobile enforcement, while Troop S civilian Safety Investigators and uniform Port Officers, who are certified inspectors, concentrate on fixed site enforcement. Inspections, whether occurring at the roadside or fixed locations, enforce State law, including size and weight activity, and the FMCSRs. Second, all OHP uniformed personnel conduct mobile traffic enforcement of State laws on CMVs and non-CMV's. Third, Troop S has certified investigators who, along with their FMCSA partners, conduct Compliance Reviews / Investigations and New Entrant Safety Audits. Fourth, Troop S provides the public, CMV industry, and enforcement officers and/or agencies with education and training through awareness & outreach programs. Fifth, Troop S is responsible for CMV data collection and the accuracy of that information. Supervisor and office personnel review data collection to ensure it is complete, accurate and on time. Any discrepancies discovered by Troop S are either corrected or sent back to the originating source for correction. Some discrepancies are discovered by motor carriers or their drivers. These discrepancies are brought to the attention of Troop S through the Data Q process. Once a Data Q is received, depending on the issue, it is reviewed. A determination is made if corrective action should or should not be taken as a result of that review.

Troop S inspection personnel attend all required Troop meetings, training for CMV enforcement, and inspection training updates and changes. Training occurs through classroom instruction, field training, webinars and conference calls. Troop S is anticipating conducting several FMCSA classes during this performance period using MCSAP grant funds, NAS Part A and Part B, General Hazardous Materials, Hazardous Materials Cargo Tank, and Other HM Bulk Packaging. Troop S has several FMCSA National Training Center (NTC) certified instructors who instruct these courses. These certified NTC instructors not only teach within Oklahoma but also travel throughout the country, as assigned, teaching FMCSA courses to other agencies.

Troop S is active in CVSA activities, conferences and training. CVSA is a non-profit association comprised of local, state, provincial, territorial and federal commercial motor vehicle safety officials and industry representatives. The Alliance aims to achieve uniformity, compatibility and reciprocity of CMV inspections and enforcement by certified inspectors dedicated to driver and vehicle safety. Troop S has several personnel who serve on various CVSA committees. This allows Troop S to ensure they are current with inspection procedures, CVSA policies, FMCSA rules and regulations, and industry concerns. Oklahoma will support and participate in CVSA inspection activities such as International Road Check, Operation Airbrake/Brake Safety Week, Operation Safe Driver, and all other pertinent CVSA inspection activities. Troop S will also participate in various traffic enforcement related events sponsored by the National Highway Traffic Safety Administration (NHTSA) and / or the Oklahoma Highway Safety Office.

Troop S is currently assessing civil penalties on out-of-service violations discovered during driver / vehicle inspections according to CVSA out-of-service criteria. Troop S is continuing its attempt to implement an intrastate motor carrier Compliance Reviews / Investigations during this performance period and will use civil penalties as an enforcement tool.

#### Part Time Inspection Personnel

Troopers from various field Troops throughout the State who are certified as CMV inspectors are assigned to Troop S on a part time basis. To be accepted into this program Troopers are required to meet and maintain the NAS inspection certification requirements. These part time positions allows Troop S to provide additional enforcement personnel throughout the State. Troopers conduct inspections through random inspection of commercial motor vehicles or based on observed traffic enforcement violations. Part time inspectors provide additional enforcement of seat belt, cell phone & texting, inattentive driving, and collision causation violations. This program serves to fulfill the OHP career path for

those members who desire to become full time CMV enforcement Troopers. Part time Troopers are given an opportunity to become certified in Hazardous Material and Cargo Tank inspections as classes are offered. DPS does not seek reimbursement from FMCSA for their activity but uses their eligible hours to help meet our maintenance of effort (MOE).

**Port of Entry (POE)**

Port of Entry (POE) inspectors are employed as DPS civilian and/or law enforcement officer CMV inspectors assigned to Troop S and report to a fixed site location conducting driver / vehicle inspections. All DPS POE inspectors are initially CVSA NAS Level 1 certified with General HM and HM Cargo tank certifications added as classes are available. DPS does not seek reimbursement from FMCSA for POE activity but uses the salary and fringe costs necessary to operate the POE program to help meet our MOE and/or State match.

**Criminal Interdiction**

There are currently several part time Troopers who are assigned full time to Troop SO - Special Operations / Criminal Interdiction. This troop is primarily responsible for conducting criminal and drug interdiction activities on Oklahoma highways. These Troop SO members are CVSA certified to conduct driver / vehicle inspections and work CMV interdiction as well as non-CMV interdiction. Troop SO provides assistance to Troop S whenever requested with canine detection dogs, detection and arrest of CMV drivers transporting illegal substances or illegal currency, and with follow-up investigations as needed.

**Special Emphasis**

Throughout the performance period, Troop S will conduct various special emphasis in order to facilitate our goal of reducing collisions and fatalities involving large trucks and passenger carriers. Some special emphases are in conjunction with CVSA, NHTSA, or FMCSA projects such as Road Check, Positive Driver investigations, and Passenger Carrier initiatives. Troop S further establishes additional special emphasis projects that include, but not limited to, Hazardous Materials transportation, Passenger Carrier transportation, drug interdiction, traffic enforcement on CMVs and non-CMV (with violations around CMVs), work zones and high collision corridors. Troop S uses available data on CMV activity, incidents or collisions to determine when and where these need to be worked.

**Premium Pay**

Throughout the performance period, Troop S will conduct various premium pay shifts in order to facilitate our goal of reducing collisions and fatalities involving large trucks and passenger carriers. The premium pay shifts will be conducted in high crash corridors, work zones, areas with a high traffic number of CMVs travel, or in conjunction with special emphasis to help promote the reduction of crashes involving large trucks and passenger carriers. Premium pay shifts allow Troop S to help reduce CMV related crashes by increasing our manpower since these shifts allow Troop S troopers to work non-scheduled shifts, increasing our presence, and focusing on areas that need to be targeted.

**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:	OKLAHOMA DEPARTMENT OF PUBLIC SAFETY
Enter total number of personnel participating in MCSAP activities	122
<b>National Program Elements</b>	<b>Enter # personnel below</b>
Driver and Vehicle Inspections	56
Traffic Enforcement Activities	40
Investigations*	10
Public Education and Awareness	9
Data Collection and Reporting	7
* 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:** Actual # Fatal Crashes

**If you select 'Other' as the goal measurement, explain the measurement used in the text box provided:**

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2016	12/31/2016	118	98	118
01/01/2015	12/31/2015	101	95	101
01/01/2014	12/31/2014	109	106	109
01/01/2013	12/31/2013	116	98	116
01/01/2012	12/31/2012	97	104	97



## 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	1	0	1
01/01/2015	12/31/2015	1	0	1
01/01/2014	12/31/2014	4	0	4
01/01/2013	12/31/2013	5	0	5
01/01/2012	12/31/2012	0	0	0

## 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	12	8	12
01/01/2015	12/31/2015	11	9	11
01/01/2014	12/31/2014	8	10	8
01/01/2013	12/31/2013	11	4	11
01/01/2012	12/31/2012	9	5	9

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

Data Source: MCMIS data snapshot as of 05/26/2017 utilizing the eCVSP toolkit on 06/27/2017.

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

There are several areas that need to be addressed regarding the goal and outcomes.

1- Previous CVSP goals were based on data from the Statewide Analysis for Engineering & Technology (SAFE-T) data collection program. SAFE-T is an Oklahoma Department of Transportation (ODOT) program specific to crashes investigated by all crash reporting agencies in Oklahoma to help ODOT determine highway engineering and/or design issues. One of the problems with using this program for the CVSP was the program was not created for this purpose. Another problem with this program was the timeliness of data entry. The crashes that were not created and submitted electronically were required be entered into the system by a data entry technician. Due to State budget cuts, data entry positions were eliminated causing delays and errors in reporting. These delays and errors required Oklahoma switched to the eCVSP toolbox that utilizes data from MCMIS as its data source to report outcomes. This switch has created an obstacle for Oklahoma. Oklahoma based previous CVSP goals on regulated CMV crashes. The MCMIS data is based on "large truck and bus" crashes that include all vehicles in excess of 10,000 lbs, regardless if it was a regulated CMV or not. This difference in data based reporting skews the goal / outcome results slightly. Oklahoma feels this is important to note to help explain why it appears at face value, previous goals were not met. This will be a continuous issue for the next 5 years in order for the mismatched goal / outcome data to fall off.

2- In FFY 2017, Oklahoma set a multi-year CMV crash reduction goal of 3% with the collision numbers from CY 2015 as the baseline. This is an obstacle since the CY baseline SAFE-T data used indicated 4,737 crashes and 92 fatal crashes in 2015. According to the data from the eCVSP toolbox, in CY 2015 there were 3,598 crashes and 101 fatal crashes involving "large truck and bus". Oklahoma is unable to determine why there is such a discrepancy in reporting numbers.

In order to overcome these two obstacles in FFY 2018 and beyond, Oklahoma will utilize the data and information contained in the eCVSP tool to set goals and report outcomes. This will help both Oklahoma and FMCSA since both entities have access to the same data collection information.

**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.**

In Oklahoma for CY 2015 there were 3,598 collisions involving large trucks and passenger carriers and 101 fatal collisions involving large trucks and passenger carriers. In FFY 2017, Troop S set a multi-year crash reduction goal 3 % at the end of CY 2020 using CY 2015 data as the baseline. This 3% goal for CY 2020 should result in 107 fewer collisions for a goal of 3,497 collisions involving large trucks and passenger carriers along with 3 fewer fatal collisions for a goal of 98 fatal collisions involving large trucks and passenger carriers.

Troop S will continue to work toward a greater reduction of collisions for FFY 2018. With the exception of Oklahoma and Tulsa Counties, Oklahoma is comprised of rural roads, by FMCSA definition. A strong emphasis will be placed on decreasing the number of CMV fatality and injury collisions through roadside enforcement targeting causation factors.

The Oklahoma Highway Patrol is responsible for investigating collisions on all interstate and defense highways, turnpikes and on all highways (roadways) outside of incorporated municipalities. The Oklahoma Highway Patrol uses PARIS, a computerized collision report form, to report collisions they investigate. There are also several other agencies within Oklahoma that use PARIS. All OHP PARIS information is available to Troop S for analysis. In the future, all PARIS collisions will be available for analysis by Troop S. The availability of this information allows Troop S to have a better picture of collisions within Oklahoma, identifying high collision corridors quicker.

PARIS data will be monitored and analyzed by Troop S for the purpose of developing strategic enforcement and education plans. Enforcement and education will focus on high collision corridors, work zones, and No Zones (the area around CMVs where violations by non-CMV's occur). Oklahoma's data shows violations around CMVs by non-CMV's play a significant role in CMV involved collisions.

Year	Number	Fatal Accidents
CY 2012	4732	97
CY 2013	3394	116

CY 2014	3625	109
CY 2015	3598	101
CY 2016	3392	118

**Enter the data source and capture date:**

Data Source: MCMIS data snapshot as of 05/26/2017 utilizing the eCVSP toolkit on 06/27/2017.

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

Oklahoma's 5 year average for collisions involving large trucks and passenger carriers is 3,748 with 108 involving fatalities. Troop S is setting a multi-year goal of reducing collisions involving large trucks and passenger carriers by 3% at the end of CY 2020. Collision numbers from CY 2015 will be the baseline for this goal. Our goal for the end of CY 2020 is 3,497 collisions involving large trucks and passenger carriers, and 98 fatal collisions involving large trucks and passenger carriers. Oklahoma recognizes work zone collisions play a significant role in these collisions. Due to existing and future road construction projects throughout Oklahoma, Troop S will continue to strive towards the 2020 goal by addressing, unsafe CMVs and driver behaviors across the State with an emphasis on work zones.

**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.**

Troop S has the majority of its uniformed personnel assigned to conduct roadside inspections (mobile enforcement). Troopers assigned to this function are evaluated annually and provided with a minimum number of inspections required throughout the calendar year. Roadside inspection Troopers are required to conduct mobile enforcement roadside inspections and may also work fixed site facilities. Roadside inspection Trooper's performance criteria allow the inspection to focus on quality over quantity. Roadside inspection Troopers are encouraged to conduct Level 1 and Level 2 inspections to help in the reduction of collisions by finding unsafe CMVs, non-compliant drivers and/or non-compliant motor carriers. With the collision reduction goal in mind, Troop S strives to obtain a 35% out-of-service inspection rate. Level 3 inspections are encouraged for driver behavior or traffic enforcement issues are observed.

Part time Troopers conduct mobile enforcement activities focusing on driver behavior and traffic enforcement issues. Troopers assigned to these programs conduct inspections of Level 1, 2, and 3 based on their certification level obtained and maintained. Troop S has activity requirements for each of the respective programs. These programs help to ensure Troop S attains their collision reduction goals.

Troop S personnel also conduct driver / vehicle inspections at fixed locations throughout the State. Troopers, from time to time, may work the fixed sites throughout the State but primarily conduct mobile enforcement. Troop S civilian New Entrant Safety Investigators are required to maintain CVSA NAS Level 1 (32) and HM Cargo Tank (8) certifications. Certification inspections performed by civilian Safety Investigators, unless in conjunction with a safety investigation, are performed at fixed site locations. Troop S POE inspectors are assigned to a fixed site and do not conduct mobile enforcement activities. They are also required to maintain any additional certifications they may have such as General HM or HM Cargo Tank. It should be noted in the 4<sup>th</sup> quarter of FFY 2017 and in the first quarter of FFY 2018, Troop S is hiring additional law enforcement certified POE inspectors. The new hire POE inspectors will require CVSA NAS Level 1 training including classroom instruction and field training as well as law enforcement initial and annual training, as required.

Quarterly Troop S will review the collision statistics and patterns using PARIS and any other available data for potential deployment options. Troop S will offer premium pay shifts each month with a specific enforcement focus to target risk factors, crash corridors, non-CMV driver, and more.

**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.**

Performance Progress Reports (PPR) will be completed and submitted to FMCSA quarterly.

The PPR will contain:

Quarterly collision data found in the eCVSP toolbox to help monitor the collision reduction goal progression

Quarterly roadside inspection data found in the eCVSP toolbox to monitor inspection activities.

Quarterly PARIS data to track traffic enforcement activities to include both citations and/or warnings issued to either CMV or non-CMV drivers.

All other quarterly MCSAP activities helping Oklahoma to meet the 2020 goal for reducing crashes involving large trucks and passenger carriers.

### 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	4301	5140	5880	5319	6467
Level 2: Walk-Around	11030	10446	11241	12132	14970
Level 3: Driver-Only	8402	8679	9377	10525	4043
Level 4: Special Inspections	0	61	28	26	55
Level 5: Vehicle-Only	332	318	174	77	116
Level 6: Radioactive Materials	0	0	0	0	0
<b>Total</b>	<b>24065</b>	<b>24644</b>	<b>26700</b>	<b>28079</b>	<b>25651</b>

#### **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.**

Troop S maintains a strong statewide CMV driver/vehicle inspection program to keep unsafe CMVs and CMV drivers off of Oklahoma roadways. Oklahoma's traffic enforcement includes an aggressive inspection program incorporated into the main MCSAP effort and focusing on traffic enforcement and CMV driver behavior. This focus also extends to non-CMV driver behavior when around CMVs. Troop S utilizes Level 1 and Level 2 inspections as the top priority and Level 3 inspections utilized when appropriate. As of 05/26/2017 in FFY 2017, Troop S has conducted 16,699 inspections with a goal of 22,565 inspections. Troop S is on track to meet the FFY 2017 goal.

During FFY 2016, Troop S leadership changed the focus from conducting Level 3 inspections to conducting more Level 1 or Level 2 inspections. This has not changed our view of traffic enforcement but to focus on CMVs as well as the drivers. This decision was a result of auditing our own inspections and finding that many Level 3 inspections had no violations discovered. This raised a concern that too much emphasis was placed on the number of inspections and not causation or equipment violations. Troop S altered our priority to focus on quality inspections instead of quantity.

Troop S's goal is to increase the total number of inspections initiated by a traffic enforcement stop, helping to change driver behavior and thereby reducing the number of large truck and passenger carrier involved collisions statewide. Looking at data from FFY 2016 and partial FFY 2017 data, Troop S believes this approach is within the spirit of the Level 3 percentage requirement. In FFY 2016, Troop S conducted 25,651 driver / vehicle inspections with 7,161 inspections based on traffic enforcement. This equals 28% of all inspection levels. In FFY 2017, as of 05/26/2017, Troop S has conducted 16,699 driver / vehicle inspections with 4,343 based on traffic enforcement. This equals 26% of all inspection levels. While Level 3 inspections, 16% for FFY 2016 and 14% for FFY 2017 so far, are below FMCSA expectations, Troop S is still targeting driver behavior issues.

All inspection personnel work to ultimately satisfy the Oklahoma and national goal of reducing collisions and fatal collisions involving large truck and passenger carriers. Troop S personnel and/or assignments are located throughout Oklahoma in order to address large truck and passenger carrier collisions. Troop S divides Oklahoma into five geographical sectors to ensure proper coverage of the state which includes both full time and part time personnel. The sectors and number of personnel currently assigned are as follows:

##### **ROADSIDE INSPECTION PROGRAM**

Northeast- 1 Lieutenant, 7 full time inspectors, and 11 part time inspectors.  
 Northwest- 1 Lieutenant, 8 full time inspectors, and 7 part time inspectors.  
 Southwest- 1 Lieutenant, 8 full time inspectors, 2 part time inspectors  
 Southeast- 1 Lieutenant, 9 full time inspectors, and 12 part time inspectors.  
 Central- 1 Lieutenant, 8 full time inspectors, and 11 part time inspectors.

Full time inspectors are assigned to a sector in which they reside but are allowed to travel to other areas that require attention. Part time inspectors are limited to the county and/or Troop they are assigned unless on a special emphasis such as Road Check.

All inspectors, with the exception of those assigned to a fixed site, conduct mobile enforcement and perform both inspection and traffic enforcement activities.

#### POE Inspectors

11\* full time inspectors (civilian & certified law enforcement - non-Trooper). \*At the time of this application, there are 2 fully certified inspectors with 9 additional new hires going through inspection training and the on-boarding process. These newly hired inspectors should be conducting inspections by October 1, 2017. DPS is actively recruiting additional POE inspectors to fill fixed site vacancies. There is currently a cap of 16 POE positions but may be increased on an as needed basis.

New Entrant Safety Audit Program  
1 Trooper and 4 civilian Safety Auditors

Compliance Review / Investigation Program  
5 Troopers

1 Lieutenant is assigned to both the New Entrant and Compliance Investigation Program. All personnel involved in these two programs are full time and required to maintain driver / vehicle inspection certifications. The Troopers perform mobile enforcement inspections and traffic enforcement activities when not involved with their primary audit or investigation duties. The civilian auditors conduct their required certification inspections at fixed site facilities since they do not have the authority to conduct law enforcement or mobile enforcement activities.

All other MCSAP Program activities  
1 Captain serving as MCSAP Coordinator  
1 Lieutenant serving as Training Officer and POE inspector supervisor  
1 Lieutenant serving as MCSAP lead and FMCSA liaison

All three, in addition to their assigned duties, perform mobile enforcement conducting driver / vehicle inspections and traffic enforcement activities.

All personnel certified in driver / vehicle inspections, including those in the New Entrant and Compliance Review / Investigation Programs, participate in conducting education and outreach when needed. The number of personnel assigned to the MCSAP Program, either full time or part time, will fluctuate based on inspection certification training classes, inspectors maintaining their certification credentials and/or transfers.

In FFY 2018, Oklahoma will conduct a total of 27,967 inspections with 25,000 of those inspections conducted by FTEs.

### **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:** OKLAHOMA DEPARTMENT OF PUBLIC SAFETY

**Enter the total number of certified personnel in the Lead agency:** 115

Projected Goals for FY 2018 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	12000	400	5	12405	44.36%
Level 2: Walk-Around	12000	1000	0	13000	46.48%
Level 3: Driver-Only	2500	0	0	2500	8.94%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	60	60	0.21%
Level 6: Radioactive Materials	0	2	0	2	0.01%
<b>Sub-Total Lead Agency</b>	<b>26500</b>	<b>1402</b>	<b>65</b>	<b>27967</b>	

#### ***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:	0
Enter the total number of inspections projected for FY 2018:	



**Summary**

## Projected Goals for FY 2018 - Roadside Inspections Summary

<b>Projected Goals for FY 2018 Summary for All Agencies</b>					
<b>MCSAP Lead Agency: OKLAHOMA DEPARTMENT OF PUBLIC SAFETY</b>					
<b># certified personnel: 115</b>					
<b>Subrecipient Agencies:</b>					
<b># certified personnel: 0</b>					
<b>Number of Non-Funded Agencies:</b>					
<b># certified personnel: 0</b>					
<b># projected inspections:</b>					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	12000	400	5	12405	44.36%
Level 2: Walk-Around	12000	1000	0	13000	46.48%
Level 3: Driver-Only	2500	0	0	2500	8.94%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	60	60	0.21%
Level 6: Radioactive Materials	0	2	0	2	0.01%
<b>Total ALL Agencies</b>	<b>26500</b>	<b>1402</b>	<b>65</b>	<b>27967</b>	

**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.

Troop S's goal is to increase the total number of inspections initiated by traffic enforcement stops, helping to change driver behavior and thereby reducing the number of large truck and passenger carrier involved collisions statewide. Troop S believes this approach is within the spirit of the Level 3 percentage requirement. In FFY 2016, Troop S conducted 25,651 driver / vehicle inspections with 7,161 inspections based on traffic enforcement. This equals 28% of all inspection levels. In FFY 2017, as of 05/26/2017, Troop S has conducted 16,699 driver / vehicle inspections with 4,343 based on traffic enforcement. This equals 26% of all inspection levels. While Level 3 inspections, 16% for FFY 2016 and 14% for FFY 2017 so far, are below FMCSA expectations, Troop S is still targeting driver behavior issues. Troop S encourages inspectors to perform Level 3 inspections when appropriate. Level 3 inspections are utilized in everyday MCSAP activities, premium pay activities, and special emphasis.

#### 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	63	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	2	2	0	2
CSA Off-Site	0	0	0	0	0
CSA On-Site Focused/Focused CR	0	81	35	31	29
CSA On-Site Comprehensive	0	27	15	16	19
<b>Total Investigations</b>	<b>63</b>	<b>110</b>	<b>52</b>	<b>47</b>	<b>50</b>
Total Security Contact Reviews	0	2	2	2	1
Total Terminal Investigations	0	2	0	0	1

Investigative Types - Intrastate	2012	2013	2014	2015	2016
Compliance Investigations					
Cargo Tank Facility Reviews					
Non-Rated Reviews (Excludes CSA & SCR)					1
CSA Off-Site					
CSA On-Site Focused/Focused CR				1	1
CSA On-Site Comprehensive					
<b>Total Investigations</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>
Total Security Contact Reviews					
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	0
CSA Off-Site	0	0
CSA On-Site Focused/Focused CR	30	0
CSA On-Site Comprehensive	30	10
<b>Total Investigations</b>	<b>60</b>	<b>10</b>
Total Security Contact Reviews	0	0
Total Terminal Investigations	0	0

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

Oklahoma has 4 Troopers dedicated full time and 1 Trooper dedicated part-time to conducting Compliance Investigations as well as 1 Lieutenant who supervises the investigators. During FFY 2017 and FFY 2018, Oklahoma is in the process of cross training their personnel dedicated to conducting New Entrant Safety Audits in conducting Compliance Investigations. The training of the New Entrant Safety Auditors in compliance investigations will slow down the work load during FFY 2018 but once trained will be a benefit to the entire MCSAP program.

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

Troop S will conduct compliance investigations on interstate carriers assigned by FMCSA and intrastate carriers assigned by Troop S per FMCSA assignment policy and guidelines. Compliance Investigations will include non-HM carriers, HM carriers and passenger carriers. The Compliance Investigation program currently has 4 Troopers dedicated full time, 1 Trooper dedicated part time, and 1 supervisor. The part-time Trooper, in addition to being Level 1 and HM certified, is Level VI HM certified, a Hazardous Material Instructor, and is the Hazardous Material Safety Specialists within Troop S. The FTE's are involved in cross training 5 New Entrant Safety Auditors in performing Compliance Investigations. Troop S is cross training the New Entrant Safety Auditor FTEs in order to enhance our interstate compliance investigation program and implement an intrastate compliance investigation program. In addition all FTEs assigned to conduct carrier investigations are certified Troopers / law enforcement officers. This requires them to maintain law enforcement certification by attending required law enforcement training, any FMCSA required training, vacations, or any other unforeseen instances that occur throughout the year.

When assigned by FMCSA or Troop S, Compliance Investigations will be conducted on carriers involved in fatality collisions in which the CMV driver/motor carrier is determined to be culpable or where any of the seven CSA Behavioral Analysis and Safety Improvement Categories (BASICS) were contributing factors: Unsafe Driving, Fatigued Driving (Hours-of-Service), Driver Fitness, Crash History, Vehicle Maintenance, Improper Loading/Cargo Securement, and Controlled Substances/Alcohol. Compliance Investigations will be conducted on carriers as a result of non-frivolous complaints made against them and in accordance with FMCSA or Troop S policy

All Compliance Investigators attend quarterly meetings with our FMCSA partners at various locations throughout the Oklahoma. These quarterly meetings are paramount to the success of our program. During the quarterly meetings, Compliance Investigators discuss any changes to the FMCSRs, new FMCSA memorandums or regulation guidance, ensure the most current versions of computer programs are being utilized, and any other issues related to the program that may arise throughout the quarter. These meetings help ensure the integrity of the Compliance Investigations conducted by Troop S is consistent with the expectations of the Oklahoma FMCSA Division office and FMCSA's Southern Service Center.

### 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.

Activities will be measured by the number of investigations conducted. For FFY 2018, the target is 70 Compliance Investigations. This number is based

on the extra time dedicated to properly train the New Entrant Safety Auditors FTEs. These investigations are tracked through MCMIS and will be reported quarterly to FMCSA.

## 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	7161	7552
10/01/2014	09/30/2015	7485	8019
10/01/2013	09/30/2014	6944	7642
10/01/2012	09/30/2013	8139	8926
10/01/2011	09/30/2012	7711	8845

☐ 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.

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented CMV Traffic Enforcement Stops without Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
10/01/2015	09/30/2016	12205	12205
10/01/2014	09/30/2015	8574	8574
10/01/2013	09/30/2014	4622	4622
10/01/2012	09/30/2013	4378	4378
10/01/2011	09/30/2012	3777	3777

☐ 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	619084	619084
01/01/2015	12/31/2015	190206	190206
01/01/2014	12/31/2014	196350	196350
01/01/2013	12/31/2013	186314	186314
01/01/2012	12/31/2012	147120	147120

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

The data provided is NOT complete and accurate data based on the systems used to capture all data. At the end of 2015 and beginning of 2016, OHP began a gradual implementation of PARIS, an electronic citation, warning, and crash reporting program. This information is able to provide all citations and warnings issued to both CMVs and non-CMV. During the transition to this system and prior to full implementation, only citation data was able to be determined. Written warnings were not entered into any data collection system and cannot be provided without a lengthy process of hand searching and counting. All data was captured on 06/29/2016.

**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](#).*

Troop S focuses on CMV traffic enforcement and inspections in order to reduce collisions involving large trucks and passenger carriers. Our MCSAP activities include both our full time and part time Troopers, focusing on enforcement of CMV driver behavior and non-CMV traffic violations. In order to maintain an aggressive traffic enforcement program, all Troopers are always on the lookout for CMV and non-CMV committing traffic violations and taking appropriate action. The number of FTEs involved in MCSAP eligible traffic enforcement activities include all 61 Troopers assigned to Troop S, and approximately 40 Troopers assigned to Troop S on a part time basis. There are approximately 780 Troopers within Oklahoma who enforce both CMV and non-CMV traffic violations but Oklahoma currently only seeks reimbursement for those assigned to Troop S either on a full time or part time basis.

**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	6000
<input checked="" type="radio"/>	<input type="radio"/>	CMV without Inspection	10000
<input checked="" type="radio"/>	<input type="radio"/>	Non-CMV	200
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	300

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
27967	70	400	28437	16102

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

Components of the traffic enforcement efforts are already explained in detail. Troop S will monitor traffic enforcement activity of special emphasis, premium pay projects and everyday inspections through inSPECT (driver / vehicle inspection program) and PARIS (OHP enforcement and crash reporting program). CMV contacts without inspections are obtained through the PARIS contact system utilized by all OHP Troopers for reporting purposes. All OHP Troopers conduct both CMV and non-CMV traffic enforcement activities. This information will be monitored and tracked in the quarterly Performance Monitoring Reports. FTEs will account for 5000 of the 5640 inspections related to traffic enforcement inspections.

## 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	Deploying Core CVISN	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:** Oklahoma Department of Transportation

**Enter the agency name responsible for PRISM in the State, if other than the Lead MCSAP Agency:** Oklahoma Corporation Commission

### 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.**

N/A

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

N/A

**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.**

N/A



## 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.*

<b>Public Education and Outreach Activities</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
Carrier Safety Talks	81	93	50	80	111
CMV Safety Belt Education and Outreach	7	10	5	13	6
State Trucking Association Meetings	5	4	0	3	5
State-Sponsored Outreach Events	0	1	0	1	1
Local Educational Safety Events	13	8	2	5	10
Teen Safety Events	7	6	5	6	7

### **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 safely initiatives. Include the number of personnel that will be participating in this effort.**

Troop S will address civic groups, general public, and industry concerning traffic safety issues. In addition, Troop S manages their own website that is an Oklahoma CMV safety website to further the public education and outreach capabilities. Troop S will conduct at least 80 carrier safety talks with the intent of capturing larger audiences/multi-company talks, non-CMV driving schools, etc. Topics discussed at each safety talk will vary based on the audience. Troop S will seek out and provide outreach activities to include passenger carrier transportation, hazardous materials transportation, share the road & safe driving initiatives, and any other topics that will assist Oklahoma in reducing collisions involving large trucks and passenger carriers as well as improving safety throughout not only Oklahoma but the entire United States.

Troop S launched their website in FFY 2016 that provides information to the CMV industry and the general public in regards to CMV requirements. This website provides assistance to users in order to help explain and understand the FMCSRs and Oklahoma laws pertaining to motor carriers and CMVs. The website also allows users to request a safety talk, report a CMV related complaint and provide links to CMV related websites such as FMCSA and the Oklahoma Corporation Commission.

Troop S works with various CMV organizations in Oklahoma which includes but not limited to: the Oklahoma Trucking Association, Oklahoma Safety Management Council, and the Oklahoma Transit Association, in order to build partnerships that play a role in reducing large truck and passenger carrier related collisions. These partnerships allow Troop S access to providing information and education to a wider range of motor carriers and drivers.

All FTEs will participate in education and outreach activities throughout the performance period. These activities are assigned based on expertise and location of the outreach event.

### **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	80
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	5
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	4
<input checked="" type="radio"/>	<input type="radio"/>	State-Sponsored Outreach Events	2
<input checked="" type="radio"/>	<input type="radio"/>	Local Educational Safety Events	2
<input checked="" type="radio"/>	<input type="radio"/>	Teen Safety Events	5

**Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct monitoring of progress. States must report the quantity, duration and number of attendees in their quarterly SF-PPR reports.**

The performance will be measured by the number of outreach programs addressing traffic safety (CMV and non-CMV) issues conducted by Troop S Troopers. Activities will be measured by the number of talks conducted and the number of attendees. The number of talks will be provided quarterly in a report to FMCSA.

**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 May 26, 2017 as generated on June 28, 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.

"Good" SSDQ current rating and history (past year) rating.

Oklahoma will continue to work towards maintaining the "good" SSDQ rating. DPS is responsible for CMV collision data collected and reported by all Oklahoma law enforcement agencies.

**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.

N/A

**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.

Troop S will continue to monitor monthly SSDQ data to ensure continued "good" rating. If any category starts to decline or has a rating other than "good", Troop S will determine the cause and start corrective action. Progress will be measured by the results of the NFCC tool through A&I.

## 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	619	641	469	607	590
Intrastate					
<b>Total Audits</b>	<b>619</b>	<b>641</b>	<b>469</b>	<b>607</b>	<b>590</b>

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)	100	0
# of Safety Audits (Offsite)	300	0
# Group Audits	0	0
<b>TOTAL Safety Audits</b>	<b>400</b>	<b>0</b>
# of Non-Audit Resolutions	150	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.**

Troop S will reduce the number and severity of collisions, injuries, and fatalities involving large trucks and passenger carriers by conducting New Entrant Safety Audits on all interstate motor carriers identified by FMCSA as a New Entrant motor carrier based within the State of Oklahoma. Troop S will continue to take a proactive approach to CMV safety and the safety of the general public by ensuring interstate motor carriers have correct and appropriate safety management programs in place.

Troop S will contact every New Entrant motor carrier within 12 months of their entry into the New Entrant Program or within 120 days if they are a motor carrier of passengers. This contact will determine if a Safety Audit or non-Safety Audit resolution is required. If the motor carrier qualifies for a Safety Audit it will be conducted within the above required time frame. If they do not qualify for a Safety Audit, Troop S will initiate a non-Safety Audit resolution and remove the motor carrier from the New Entrant Program. Non-Safety Audit resolutions will consist of: inactivating the USDOT if the motor carrier is out of business or mistakenly applied for a USDOT number, change their operating status to intrastate if the motor carrier does not perform interstate operations, remove the motor carrier if they have gone through a comprehensive Compliance Review prior to a Safety Audit, the motor carrier is exempt based on meeting Map-21 requirements, the motor carrier refuses to comply with the Safety Audit process, or Troop S is unable to contact the motor carrier after at least 3 attempts.

The motor carriers who qualify for a Safety Audit will undergo the Safety Audit within the property carrier's first 12 months of operation or within 120 days if they are a motor carrier of passengers and may be conducted at the motor carrier's principle place of business (onsite) or offsite if the carrier qualifies. This provides Troop S the opportunity to review the motor carrier operations before they are involved in a serious or fatal collision. Troop S works with the Oklahoma Division of FMCSA in looking for possible reincarnated motor carriers trying to recreate a new motor carrier in order to avoid previous related adverse safety scores or safety ratings. The Safety Investigators have been trained by the Oklahoma Division of FMCSA in the discovery of a reincarnated motor carrier or a possible reincarnated motor carrier. The Safety Investigators look for problematic drivers who are employed with the new motor carriers and have a history of unsafe driving or non-compliance to the FMCSRs.

During the Safety Audit, if problems are found, the Safety Investigators will provide appropriate education and guidance to the motor carrier in regards to their problem areas. This education and guidance consists of the Federal Motor Carrier Safety Regulations (FMCSRs) requirements and recommendations on how to establish effective safety management practices and programs. Those carriers who fail the Safety Audits will be instructed on and provided the steps to submit their required corrective action plans to FMCSA within the allotted time period.

Troop S is solely responsible for the New Entrant Program within the State of Oklahoma. Troop S currently utilizes State Troopers and DPS civilian Safety Investigators who are experienced and certified as New Entrant Safety Investigators. Prior to the FAST ACT, Oklahoma did not have an intrastate safety audit program with no foreseeable plans to create one during this performance period. Since Troop S is already responsible for the New Entrant Program and Oklahoma does not have an intrastate safety audit program, there are no challenges to the successful completion of this objective.

All New Entrant personnel attend quarterly meetings with our FMCSA partners at various locations throughout Oklahoma. During the quarterly meetings, Safety Auditors discuss any changes to the FMCSRs, new FMCSA memorandums or regulation guidance, ensure the most current versions of computer programs are being utilized, and any other issues related to the program that may arise throughout the quarter. These meetings help ensure the integrity of the Program by allowing every Safety Investigator to be aware of any and all changes that may have occurred and ensure that all Safety Investigators are answering / interpreting the Safety Audit questions the same way.

**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.**

All New Entrant Safety Audits that are conducted by Troop S will be completed as offsite via the NEWS computer based system unless the motor carrier

does not qualify for an offsite Safety Audit. If the motor carrier does not qualify for an offsite or, based on a tangible reason with manager approval, the New Entrant Safety Audit will be conducted onsite at the motor carrier's principle place of business (PPOB). From time to time there may also be extenuating circumstances which exists requiring the Safety Audit to occur at another location.

Once a New Entrant motor carrier is assigned to the Safety Investigator, they will attempt to contact the motor carrier by email or phone. This contact is necessary in order to establish if the motor carrier is eligible for a Safety Audit, whether onsite or offsite, or the carrier needs to have a non-Safety Audit resolution completed. If the carrier is unable to be reached by email or phone, the attempts are made by any available means such as email, fax, US Mail or in-person. If after three attempts are made and the carrier still cannot be reached, the Safety Investigator enters the 3 attempts into the MCMIS system and initiates the New Entrant revocation / out-of-service process. If the New Entrant motor carrier is contacted, the Safety Investigator sets the onsite Safety Audit appointment with the New Entrant motor carrier, if applicable. If the motor carrier is eligible for an offsite Safety Audit, the Safety Investigator, the carrier is contacted as often as required in order to explain and complete the process.

Troop S Safety Investigators are located throughout Oklahoma and assigned motor carriers requiring onsite Safety Audits by the geographical location of the motor carrier, if at all possible. Offsite Safety Audit eligible motor carriers are assigned to any of the FTEs and not based on geographical location. If the offsite eligible motor carrier is already assigned but, before the Safety Audit is completed, now requires an onsite Safety Audit may or may not be reassigned. Some onsite Safety Audits may require overnight travel.

All personnel assigned to the New Entrant Program will continue to meet as a group on a quarterly basis as discussed in the above strategy plan. During this performance period Troop S anticipates and requests the following opportunities: attending FMCSA Southern Service Center's Safety Audit update date and location to be determined, travel throughout Oklahoma with some instances requiring per diem and overnight accommodations in order to complete assigned Safety Audits, and FMCSA, from time to time, has requested or required participants in the Program attend meetings and / or training within and outside of Oklahoma.

During FFY 2017, Troop S sent all FTE New Entrant Safety Investigators to the Investigative Safety Analysis course offered by FMCSA NTC. In FFY 2018, Safety Investigators will continue completing training and certification requirements. This training will enhance the MCSAP programs several ways. First, it allows the Safety Investigators to have in-depth knowledge of all Compliance Investigation procedures allowing the Safety Investigators to look beyond just answering the audit questions. This training also assists the safety assessment of the motor carrier and ensuring the motor carrier is not a reincarnated motor carrier. Second, from time to time, New Entrant motor carriers appear on FMCSA's "High Priority" or "Mandatory" investigation lists before the Safety Audit has occurred. When this occurs the carrier is removed from the Safety Investigator's assignment list and assigned to a Compliance Investigator, sometimes duplicating work. The Safety Investigators are now able to conduct the Compliance Investigation and remove the motor carrier from the New Entrant inventory list without having to move assignments around.

In the past, personnel assigned to the New Entrant Program were 100% dedicated to conducting New Entrant activities. New Entrant FTE personnel will continue to devote their time and efforts to the success of the program but will also be used in other aspects when needed and not detrimental to the New Entrant Program. It is imperative to the success of the MCSAP Program and our collision reduction goals to utilize our personnel in an effective and efficient manner. Our personnel assigned to the New Entrant Program are highly trained and knowledgeable in Federal and State laws, regulations and requirements regarding commercial motor carriers and vehicles. Troop S intends to use the New Entrant Safety Investigators to assist in training, education & outreach activities, Compliance Investigations, CMV inspections, and any other assignment(s) that will benefit the MCSAP Program.

***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.***

Troop S will have 1 Lieutenant who will supervise the New Entrant personnel and oversee the Programs efficiency and timeliness. The New Entrant Program utilizes 1 State Trooper and 4 DPS civilian Safety Investigators FTEs to conduct Safety Audits, with 1 of those 5 serving as an assistant administrator. All personnel conducting Safety Audits are certified as per 49 CFR 385.201 or 385.203. New Entrant personnel are also required to maintain CVSA NAS driver / vehicle inspection Level 1 and HM cargo tank certifications. New Entrant personnel are primarily focused on conducting New Entrant Safety Audits or clearing the New Entrant inventory list based on non-Safety Audit resolutions.

In CY 2016, a total of 547 new interstate motor carriers entered the New Entrant Program in Oklahoma. In the first half of CY 2017, a total of 347 new interstate motor carriers entered the New Entrant Program, indicating that Oklahoma is trending up in new interstate motor carriers. Oklahoma is an oil and gas producing state and this industry is constantly changing and adjusting based on supply, demand, and pricing. Oklahoma is anticipating the current upward trend in FFY 2018, creating an additional increase in new interstate motor carriers based in Oklahoma to support this industry.

As previously mentioned not all new interstate motor carriers will require a Safety Audit. There are many reasons why this happens which includes but not limited to: the carrier never starting operations, the carrier is no longer in business, Troop S is unable to contact the motor carrier, a carrier classifying themselves as an interstate carrier when they are actually intrastate, or the carrier is a farm operation exempt from the Safety Audit under MAP-21. If a Safety Investigator contacts a motor carrier that is still showing "active" but is claiming to be out of business or a MAP-21 exemption, the Safety Investigator checks the carrier's profile for activity before allowing a non-Safety Audit resolution. If the carrier that is claiming to be out of business has recorded activity such as an interstate trip or interstate crash or a farmer has activity outside of 150 miles the Safety Investigator will attempt to schedule the Safety Audit appointment. Troop S initiated this policy due to motor carriers coming in and out of the Program in an attempt to avoid the Safety Audit. If the motor carrier refuses the Safety Audit, the Safety Investigator will submit that information to FMCSA and begin the revocation process. This policy has been successful in slowing down carriers who are avoiding the Safety Audit or claiming an exemption that does not apply to their

operation.

It is impossible for Troop S to determine how many Safety Audits they will conduct due to the above factors. It is also impossible, and beyond Troop S control, to determine the number of new interstate motor carriers entering the program in any given month or year. However, there are several tangible benchmarks that can be determined by Troop S in regards to the New Entrant activities. All 5 assigned to the New Entrant Program will conduct at least 160 NAS Level 1 inspections (32 per person) and 40 NAS Level 1 or 2 HM Cargo Tank inspections (8 per person) to maintain their CVSA NAS certifications. The New Entrant personnel will conduct a minimum of 550 Safety Audits or non-Safety Audit resolutions during this performance period. This number is based on the number of New Entrant interstate motor carriers entered the Program in Oklahoma during CY 2016. It should be noted this number is the minimum level of anticipated activity based on a fluctuating number of carriers entering the New Entrant Program each month.

The Lieutenant will be responsible for supervision activities involving the New Entrant Program, ensuring the Program is running efficiently and may or may not conduct Safety Audits. The Safety Investigator assigned as the assistant administrator will be responsible for: assigning New Entrant interstate motor carriers to the appropriate Safety Investigator, monitoring the New Entrant inventory list, answering New Entrant related phone calls that come into Troop S, conducting Safety Audits, and perform non-Safety Audit resolutions. All Safety Investigators are required to complete Safety Audits and/or enter all non-Safety Audit resolutions they receive from motor carriers assigned to them into the appropriate system. It is the responsibility of all FTEs in the New Entrant Program to ensure motor carriers assigned to them are removed from the New Entrant inventory list in a timely manner and prior to appearing on the overdue or "rotten" list. All Safety Audits will be completed using the SENTRI or NEWS system depending on the type of Safety Audit performed.

**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.**



**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.**

Traffic Enforcement: Uniformed personnel patrolling the highway are continuously observing driver behavior and taking enforcement action when violations of the law or regulations occur. Troop S will raise public awareness through motor carrier safety programs/safety talks. Troop S will utilize special emphasis and premium pay projects to enhance traffic enforcement activities and reduce collisions.

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

The State intends to conduct traffic enforcement activities on CMVs and non-CMV's when violations occur around a CMV. These activities will help Oklahoma achieve the collision reduction goal and educate drivers on how their behavior affects everyone around them.

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

In FFY 2017 so far, Troop S has conducted 2,435 traffic enforcement inspections. This data was obtained through the eCVSP toolkit based on a data snapshot from MCMIS as of 05/26/2017.

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

Oklahoma is committed to FMCSAs traffic enforcement national priority and agrees that driver behavior is the leading cause of all traffic collisions including those involving CMVs. Collisions involving CMVs are not always a result of the CMV driver behavior but non-CMV driver behavior as well. Some causation factors include hand-held cell phones, texting, inattention, speeding, unsafe lane changes, left of center, negligent driving and following too close. Several difficulties occurred throughout this performance period. The first obstacle that Troop S had no control over was State budget issues. Every State agency in Oklahoma suffered from budget cuts due to a decrease in State revenue. The Oklahoma Highway Patrol was placed on a mileage restriction during this performance period, restricting Trooper's daily mileage to 100 miles per day. This hurt not only the number of inspections conducted but also tour traffic enforcement efforts. One other obstacle is the ability to track non-CMV enforcement efforts when unsafe operation / violations occur around a CMV.

#### Activity #2

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

MCSAP Program enhancements, education, training: This is not a comprehensive list since some training, meetings, and conferences are not yet announced or even planned. Troop S requests consideration to send personnel to any training, meeting, or conference that is not listed below but would help enhance our MCSAP program during FFY 2017. The listed events include both in-state and out-of-state travel that may also require hotel and per diem. Troop S is anticipating conducting several training courses which includes, but not limited to the following: - North American Standard Part A and Part B inspection school - possibly 2 or more\* - General Hazardous Material and/or Hazardous Material Cargo Tank (as needed)\* - Electronic Logging Device course - as part of FMCSAs national priority\* - Investigative Safety Analysis course- may be either in state or out-of-state\* - CMV related courses to refresh and update Troop S personnel as well as providing LEO CEUs\* - Intro to CMV and identifying the correct Motor Carrier course delivered to law enforcement personnel assist with data collection\* - Drug Interdiction Assistance Program (DIAP) Troop S is anticipating sending personnel to the following FMCSA training: - FMCSA Grant Management

Training - October 2016 Atlanta, GA - Off-Site Safety Audits training for all New Entrant Safety Investigators\* - CSA Phase III training for all Compliance Investigators - as part of FMCSAs national priority\* - FMCSA NTC Instructor Development - 3 or more Troopers to help teach FMCSA related courses to our own personnel as well as out-of-state as requested by NTC\* - Any FMCSA training that is requested and/or required that may come up in FFY 2017\* - FMCSA Southern Service Center New Entrant update training - November 2016 Jackson Mississippi - FMCSA Compliance Investigation update training\* Troop S is anticipating sending personnel to the following meetings / conferences: - FMCSA Grant Planning Meeting\* - CVSA conferences and the North American Inspector Championship\* - COHMED Hazardous Material conference\* The above listed events would help enhance our MCSAP program by providing training and information needed to comply with Federal regulations, policies and grant requirements. The meetings and conferences allow personnel to be active in MCSAP related activities and processes, provide input and network with other stakeholders. This further ensures that Oklahoma is on the forefront of any current or future changes and plays an active part in CMV safety and reducing CMV collisions. \* indicated location and date(s) are "to be determined" The Training Lieutenant will work on developing two field training programs and an "on-boarding" process for the CVTEP and TTEP program. The first field training program will be developed for new inspectors who are working on their initial certification. The second field training program will be developed for Troopers who are transferred into Troop S on a full time basis. The respective field training programs will help educate, train and develop each inspector ensuring they are knowledgeable and proficient. An "on-boarding" process or procedure will be developed for both the CVTEP and TTEP programs. This process would create a consistent and definitive path for selection into the appropriate program, requirements to remain in the program and consequences for not achieving the benchmarks within the program.

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

Troop S has always had a Lieutenant who has been assigned to oversee Troop S training along with their other supervisory responsibilities. Troop S is taking a stronger approach to training, which began at the end of FFY 2016 and will continue in FFY 2017, by assigning a Lieutenant to oversee Troop S training on a full-time basis. This change was made in order to ensure everyone within Troop S is properly trained, up-to-date on all laws, rules, regulations and policies, and receives all the information to properly perform their duties within Troop S. Troop S is requesting the ability to continue to be able to provide and receive training, attend meetings and conferences that will help enhance our MCSAP program. These activities help enhance our program by several means. First, Troop S provides CMV related training to our own personnel, other agencies, organizations and enforcement personnel, not only in Oklahoma but across the US. Second, attending training and conferences help to educate our personnel and allows us the opportunity to share ideas and network with other agencies and individuals in order to help promote CMV safety, thereby reduce CMV collisions. Third, training, meetings and conferences can help to ensure that Oklahoma is doing what is necessary to comply with the grant requirements and prepare for future requirements.

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

In the first 3 quarters of FFY 2017, Troop S personnel instructed at least 8 courses for FMCSA NTC which included both in-state and out-of-state training locations. Troop S personnel received in-state training related to CMV and MCSAP related activities to include but not limited to: inSPECT inspection training, CVIEW training, truck and bus enforcement procedures, Enforcement Procedures - Investigative, Out-of-Service update, and various FMCSA webinars. Troop S personnel received out-of-state training related to CMV and MCSAP related activities to include but not limited to: FMCSA SSC New Entrant training, COHMED, FMCSA grant training, FMCSA grant planning meeting, NEWS auditor and manager training, and NTC instructor development. Troop S personnel also received numerous required CLEET and OHP training courses.

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

State budget issues and mileage restrictions hurt our training efforts during FFY 2017. The budget issues and limitations placed on Troop S several training courses were canceled, the number of personnel sent to out of state conferences were reduced and quarterly meetings were also canceled in order to comply with the Departments budget cuts.

#### 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.**

Traffic Enforcement

##### **Narrative Overview for FY 2018**

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

Oklahoma is committed to FMCSAs traffic enforcement national priority and agrees that driver behavior is the leading cause of all traffic collisions including those involving large trucks and passenger carriers. Collisions involving large trucks and passenger carriers are not always a result of the CMV driver behavior but non-CMV driver behavior as well. Some causation factors include hand-held cell phones, texting, inattention, speeding, unsafe lane changes, left of center, negligent driving and following too close. The State intends to conduct traffic enforcement activities on CMVs and non-CMV s when violations occur around a large trucks and passenger carriers. These activities will help Oklahoma achieve the collision reduction goal and educate drivers on how their behavior affects everyone around them.

##### **Projected Goals for FY 2018:**

##### **Enter performance goal.**

Oklahoma intends on focusing on traffic enforcement activities by conducting public outreach and education, CMV driver and vehicle inspections based on traffic enforcement stops, non-CMV driver and vehicle contacts based on traffic enforcement violations, special emphasis efforts, and premium pay projects. The goal of traffic enforcement activities is to help meet and/or exceed our 2020 collision reduction goal of reducing large truck and passenger carrier crashes by 3%.

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

Uniformed personnel patrolling the highway are continuously observing driver behavior and taking enforcement action when violations of the law or regulations occur. Troop S will raise public awareness through motor carrier safety programs/safety talks. Troop S will utilize special emphasis and premium pay projects to enhance traffic enforcement activities and reduce collisions.

##### **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.**

Troop S will monitor the data from inSPECT to track to the number of inspections which resulted from traffic enforcement. Supervisors will track the data on each inspection marked as "traffic enforcement" inspections include valid traffic enforcement violations. All CMV traffic enforcement activities will be documented when requesting reimbursement for those activities. Traffic enforcement activities of non-CMV s will be documented when requesting reimbursement and focus on driver behavior. Public education and awareness activities with CMV and non-CMV drivers about driver behavior issues will help bring awareness to all drivers and help reduce collisions.

## State Objective #2

**Enter the title of your State-Identified Objective.**

MCSAP Program enhancements, education, training

**Narrative Overview for FY 2018****Problem Statement Narrative: Describe problem identified by performance data including baseline data.**

Oklahoma's MCSAP program requires all stakeholders to be informed, trained and forward thinking. Federal and State laws, regulations, policies and requirements are constantly changing and evolving. It is imperative that Oklahoma have the opportunity to stay up to date with any current or future changes as well as educating our own personnel, other agencies and other personnel as needed, requested or required.

**Projected Goals for FY 2018:****Enter performance goal.**

Troop S has assigned one Lieutenant to oversee Troop S training on a full-time basis. This position was created to ensure everyone within Troop S is properly trained, up-to-date on all laws, rules, regulations and policies, and receives all the information to properly perform their duties within Troop S. Troop S is requesting the ability to continue to be able to provide and receive training, attend meetings and conferences that will help enhance our MCSAP program. These activities help enhance our program by several means. First, Troop S provides CMV related training to our own personnel, other agencies, organizations and enforcement personnel, not only in Oklahoma but across the US. Second, attending training and conferences help to educate our personnel and allows us the opportunity to share ideas and network with other agencies and individuals in order to help promote CMV safety, thereby reduce large truck and passenger carrier collisions. Third, training, meetings and conferences can help to ensure that Oklahoma is doing what is necessary to comply with the grant requirements and prepare for future requirements.

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

Troop S intends on providing classroom, field training, and remote training. During FFY 2018, Troop S plans on utilizing a web based system, Go To Training, to provide information, training, and updates on an as needed bases. This system will help keep inspectors up to date when changes occur without having the expense of travel or time removed from their assigned areas. Remote training will be utilized when it is necessary and feasible. Onsite training will continue to occur and is necessary for NTC courses and some MCSAP, Troop S, or OHP training. Troop S requests consideration to send personnel to any training, meeting, or conference that is or may not be listed below but would help enhance our MCSAP program during FFY 2018. During FFY 2017, Troop S sent 1 Lieutenant to FMCSA's National Training Center (NTC) instructor development course to enhance our training program. During FFY 2018, Troop S would like to send additional personnel to continue enhancing our program. The listed events include both in-state and out-of-state travel that may also require hotel and per diem. Troop S is anticipating conducting several training courses which includes, but not limited to the following: - North American Standard Part A and Part B inspection school - possibly 2 or more\* - General Hazardous Material and/or Hazardous Material Cargo Tank (as needed)\* - Electronic Logging Device course - as part of FMCSAs national priority\* - CMV related courses to refresh and update Troop S personnel as well as providing LEO CEUs\* - Intro to CMV and identifying the correct Motor Carrier course delivered to law enforcement personnel assist with data collection\* - Drug Interdiction Assistance Program (DIAP). Troop S is anticipating sending personnel to the following FMCSA training: CSA Phase III training for all Compliance Investigators - as part of FMCSAs national priority\* - Any FMCSA training that is requested and/or required that may come up in FFY 2018\* - FMCSA Southern Service Center New Entrant update training - FMCSA Compliance Investigation update training\* -and FMCSA NTC Instructor Development\*. Troop S is anticipating sending personnel to the following meetings / conferences: - FMCSA Grant Planning Meeting\* - CVSA conferences and the North American Inspector Championship\* - COHMED Hazardous Material conference\* - Safe Drive campaign meetings – NHTSA

speed enforcement campaign. The above listed events would help enhance our MCSAP program by providing training and information needed to comply with Federal regulations, policies and grant requirements. The meetings and conferences allow personnel to be active in MCSAP related activities and processes, provide input and network with other stakeholders. This further ensures that Oklahoma is on the forefront of any current or future changes and plays an active part in CMV safety and reducing large truck and passenger carrier collisions. \* indicated location and date(s) are "to be determined". This is not a comprehensive list of Troop S activities since some training, meetings, and conferences are not yet announced or even planned. Troop S is also considering conducting an Oklahoma Inspection Championship during FFY 2018. This is being considered to help enhancing our MCSAP program by reinforcing the set by step NAS Level 1, HM Cargo Tank, HM Non-Bulk, and PVI inspection procedures. This will also help promote the importance of conducting a thorough inspection. This would also provide an opportunity for Oklahoma inspectors to learn from each other.

***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.***

This State-Identified Objective will be monitored as personnel attend the training, events, and meetings throughout the performance period. These activities will be monitored and reported on the quarterly Performance Monitoring Report to FMCSA. This particular objective may not produce tangible results that can be measured, however, over time it will help to reduce large truck and passenger carrier collisions through enhancing different aspects of the MCSAP program.

## 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	\$5,846,987.00	\$1,031,822.00	\$6,878,809.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP award amount ):	\$1,031,822.00
MOE Baseline:	\$1,077,371.67



## 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):	\$1,031,822.00

<b>Personnel: Salary and Overtime Project Costs</b>						
<b>Salary Project Costs</b>						
Position(s)	# of Staff	% of Time	Annual Salary	Total Project Costs	Federal Share	State Share
CAPTAIN	1	95.0000	\$87,000.00	\$82,650.00	\$82,650.00	\$0.00
LIEUTENANT	7	90.0000	\$79,365.08	\$500,000.00	\$500,000.00	\$0.00
TROOPER	43	70.0000	\$73,234.22	\$2,204,350.02	\$2,204,350.02	\$0.00
CIVILIAN AUDITORS	4	100.0000	\$43,750.00	\$175,000.00	\$175,000.00	\$0.00
Administrative Program Officer III	1	100.0000	\$59,909.58	\$59,909.58	\$59,909.58	\$0.00
Administrative Program officer I	1	100.0000	\$42,000.00	\$42,000.00	\$42,000.00	\$0.00
Administrative Assistant II	2	100.0000	\$39,000.00	\$78,000.00	\$78,000.00	\$0.00
Administrative Assistant I	2	100.0000	\$36,600.00	\$73,200.00	\$73,200.00	\$0.00
Attorney	1	80.0000	\$60,000.00	\$48,000.00	\$48,000.00	\$0.00
Port of Entry CMV Officers	12	100.0000	\$42,854.71	\$514,256.52	\$0.00	\$514,256.52
<b>Subtotal: Salary</b>				<b>\$3,777,366.12</b>	<b>\$3,263,109.60</b>	<b>\$514,256.52</b>
<b>Overtime Project Costs</b>						
All MCSAP Staff	1	100.0000	\$412,499.80	\$412,499.80	\$412,499.80	\$0.00
<b>Subtotal: Overtime</b>				<b>\$412,499.80</b>	<b>\$412,499.80</b>	<b>\$0.00</b>
<b>TOTAL: Personnel</b>				<b>\$4,189,865.92</b>	<b>\$3,675,609.40</b>	<b>\$514,256.52</b>
<b>Accounting Method:</b>	<b>Accrual</b>					
<b>Planned MOE: Personnel</b>	<b>\$420,000.00</b>					

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

The State will budget for 51 MCSAP Troopers that conduct MCSAP eligible activities. The 51 Troopers will consist of 1 Captain, 7 Lieutenants and 43 roadside Troopers. For budget purposes the personnel costs were figured using actual salary costs for the percentage of expected MCSAP eligible time. (ie. Captain dedicates approximately 95% of his time, Lieutenants 90% and Troopers 70%) For billing purposes, their actual MCSAP dedication will be calculated.

There are 4 civilian auditors that conduct Safety Audits and 100% of their personnel costs was planned based on actual salary costs.

The administrative staff are all 100% dedicated to supporting the MCSAP program. Administrative Program Officer III provides full financial oversight of the grant and is also the Supervisor of the administrative staff. Administrative Program Officer I is responsible for assigning and issuing civil penalties for any out-of-service violations and manages all travel needs with regard to hotel and airfare purchases. Administrative Assistant II's serve as the time and accountability manager and SafetyNet/Data Quality specialist. Administrative Assistant I's serve as the Troop Secretary and receptionist.

The Attorney is dedicated 80% to the MCSAP program conducting administrative hearings for civil penalties, partners with the States's legal diviion and legislative liason to introduce/support/oppose new legislation with respect to commerical vehicle laws, Title VI coordinator, and more as assigned by the Captain.

The Port of Entry CMV Officers are 100% dedicated to the MCSAP program and conduct NAS inspections at the ports throughout the State.

The MCSAP overtime projects will consist of 1 quarterly project each quarter with a budget of about \$100,000 per quarter for a total of \$412,500. During each quarterly project there may be multiple activites and/or special emphasis deemed eligible. Troopers and civilian staff will be allowed a set number of hours to work during the project.

**MOE Expenses**

CVTEP = \$100,000 The Troopers in this program perform MCSAP eligible activities on a part time basis for which is charged towards our MOE.

TTEP = \$75,000 The Troopers in this program perform MCSAP eligible activities on a part time basis for which is

charged towards our MOE.

~~Lieutenant = \$80,000 There is 1 Lieutenant for which his salary is used towards our MOE.~~

Turnpike = \$165,000 There are 3 full-time Troopers assigned to turnpikes in the State. Their time is charged to our MOE.

### 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
CAPTAIN	34.4800	\$82,650.00	\$28,497.72	\$28,497.72	\$0.00
LIEUTENANT	46.0000	\$500,000.00	\$230,000.00	\$230,000.00	\$0.00
TROOPER	40.0100	\$2,204,350.02	\$881,960.44	\$881,960.44	\$0.00
CIVILIAN AUDITOR	54.2800	\$175,000.00	\$94,990.00	\$94,990.00	\$0.00
Administrative Program Officer III	55.1400	\$59,839.98	\$32,995.76	\$32,995.76	\$0.00
Administrative Program Officer I	54.7600	\$42,000.00	\$22,999.20	\$22,999.20	\$0.00
Administrative Assistant II	49.3500	\$78,000.00	\$38,493.00	\$38,493.00	\$0.00
Administrative Assistant I	52.5900	\$73,200.00	\$38,495.88	\$38,495.88	\$0.00
Attorney	52.0800	\$48,000.00	\$24,998.40	\$24,998.40	\$0.00
POE CMV Officers	66.6600	\$514,222.00	\$342,780.38	\$0.00	\$342,780.38
All Employees Accrued Leave	100.0000	\$37,500.30	\$37,500.30	\$0.00	\$37,500.30
<b>TOTAL: Fringe Benefits</b>			<b>\$1,773,711.08</b>	<b>\$1,393,430.40</b>	<b>\$380,280.68</b>
<b>Planned MOE: Fringe Benefits</b>	<b>\$153,247.00</b>				

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

The State provides fringe benefits for all employees. The benefits above are figured on actual costs and consist of Excess Benefit Allowance, State FICA/MQFE, State Insurance, Retirement, State Share Annuities and Worker's Compensation. The following provides detail on how these benefits are figured:

**Excess Benefit Allowance** - The State provides employees with an allowance for insurance premiums for themselves and their family. If the employee selects medical, dental and vision options that do not require the entire allowance the remaining funds are added to regular paycheck.

**State FICA/MQFE** - FICA is a combination of Social Security (SS) and Medicare. The SS portion is 6.2% of only the civilian employee's Salary, Longevity, Uniform and Differential (if they receive those last 2). The Medicare portion is 1.45% of the civilian **and** trooper's Salary, Longevity, Uniform and Differential. So essentially, Troopers are exempt from the SS portion.

**State Insurance** - Insurance benefit allowance is a set amount allowed for employees. It increases based on family structure so the the lowest would be employee only and the highest would be employee, spouse and children. These figures differ widely among Troop S employees and is dependent on what type of coverage is chosen.

**Retirement** - Civilian (OPERS) – Salary, Longevity, Differential (if received) \* 16.5%; Troopers (OLERS) – Salary, Longevity, Differential \* 11%

**State Share Annuities (SoonerSave)** - The State's match is \$25

**Worker's Compensation** - Worker's Comp is calculated using a formula against employee's base pay. (ie.  $0.051 \times 0.98 \times 0.67 \times 0.99$  for Uniformed Personnel and  $0.0081 \times 0.98 \times 0.67 \times 0.99$  for Civilian Personnel) The first number is a high risk rate and a low risk rate. The second number is the experience modifier. The 3<sup>rd</sup> number calculates a 33% discount that was extended to the State, and the last number was a 1% prompt pay discount.

**Accrued Leave** - The state will seek reimbursement for Sick and Annual Leave as it is accrued.

**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
Program Travel	55	99	\$166,000.00	\$141,100.00	\$24,900.00
<b>TOTAL: Travel</b>			<b>\$166,000.00</b>	<b>\$141,100.00</b>	<b>\$24,900.00</b>
<b>Planned MOE: Travel</b>	<b>\$0.00</b>				

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

Troop S conducts Safety Audits (SAs) and Compliance Investigations (CIs) on motor carriers that include property, passenger and hazardous material carriers. Currently Troop S has 5 Troopers that are certified to conduct CIs and 5 employees (1 Trooper and 4 civilians) who are certified to conduct SAs. These activities will require travel across the state, some of which will require overnight travel resulting in lodging and per diem expenses. The cost will be approximately \$20,000.

Troop S is dedicated to ensuring that all MCSAP personnel are knowledgeable on regulation changes, staying in contact and communicating with other MCSAP state agencies and apply changes as they occur. Troop S attends various conference through the Commercial Vehicle Safety Alliance (CVSA). CVSA promotes commercial motor vehicle safety and security by providing leadership to enforcement, industry and policy makers. The cost budgeted in FFY 18 for CVSA conferences is \$36,000. It is lined out as follows:

Conference	# of Attendees	Budgeted Cost
COHMED	2	\$6,000
CVSA Spring Workshop	5	\$10,000
CVSA Fall Leadership Conference	5	\$10,000
NAIC	5	\$10,000

The structure of the grant program within Troop S consists of the Captain who serves as the MCSAP Coordinator, a Lieutenant who serves as the MCSAP Grant Manager, a Lieutenant who serves as the MCSAP Grant and quarterly report writer and an Administrative Program Officer who serves as the Budget Analyst/Financial Manager. These 4 personnel will attend the annual FMCSA Grant Planning Meeting. This is estimated to cost \$10,000.

National Road Check week is a big special project the State participates in annually. This project requires some of our FTEs as well as some part-time inspection personnel to travel to designated Road Check checkpoints throughout the state. This results in lodging and per diem expenses for which we have budgeted \$8,000.

Training is an important part of keeping the MCSAP personnel educated in regulatory changes, best practices and updates. This may include local training for State personnel but also required training for our certified trainers to maintain certification. The approximate cost for training is \$35,000.

CI and SA personnel are required to attend quarterly meetings. This provides and opportunity for training, updates, best practice methods and address any issues. **These meetings require per diem and lodging which is estimated to be \$17,000.**

Safe Drive & Technology Sharing programs have been a big part of the MCSAP program within the last year. These conferences/workshops have proven to be valuable for modernizing the State's inspection program. Oklahoma's participation in these activities requires out-of-state travel periodically costing approximately \$20,000.

In order to allow for unforeseen travel that may be requested by FMCSA Troop S has budgeted \$20,000 to cover necessary travel, lodging and per diem expenses.

**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
Training Audio Visual Equipment	1	\$8,700.00	100	\$8,700.00	\$7,395.00	\$1,305.00
<b>TOTAL: Equipment</b>				<b>\$8,700.00</b>	<b>\$7,395.00</b>	<b>\$1,305.00</b>
<b>Equipment threshold is greater than \$5,000.</b>						
<b>Planned MOE: Equipment</b>	<b>\$320,000.00</b>					

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

Troop S initiated the search for a new location at the request of DPS. Due to circumstances beyond Troop S' control relocation was postponed during FY 17 period of performance. Troop S decided to hold off on the purchase of training audio visual equipment, as the installation on this would have been a wasted expense. Troop S' relocation is now on hold indefinitely and plan to continue forward with this request in 2018.

Numerous trainings are hosted at our facility throughout the year. There is \$8,700 budgeted to cover the cost of necessary equipment needed to updated the audio visual equipment in our headquarters training room. It is expected to pay for a new interactive smart board.

### **MOE Expenditures**

Troop S is budgeting for 10 new vehicles at \$32,000 each. These vehicles will replace high mileage vehicles in the fleet and fall within the planned vehicle replacement cycle.



**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
Office Supplies	1	ea	\$35,000.00	\$35,000.00	\$29,750.00	\$5,250.00
Training Audio Visual Supplies	1	ea	\$20,000.00	\$20,000.00	\$17,000.00	\$3,000.00
CB Radios	50	ea	\$150.00	\$7,500.00	\$6,375.00	\$1,125.00
Lidar	13	ea	\$2,000.00	\$26,000.00	\$22,100.00	\$3,900.00
Inspection Supplies	100	ea	\$1,348.32	\$134,832.00	\$114,607.20	\$20,224.80
Thermal Printers & Accessories	40	ea	\$500.00	\$20,000.00	\$17,000.00	\$3,000.00
Uniform Maintenance & Repair	50	ea	\$100.00	\$5,000.00	\$4,250.00	\$750.00
<b>TOTAL: Supplies</b>				<b>\$248,332.00</b>	<b>\$211,082.20</b>	<b>\$37,249.80</b>
<b>Planned MOE: Supplies</b>	<b>\$385,000.00</b>					

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

Office Supplies - \$35,000 This will cover the required day-to-day supplies needed such as paper, pens, staples, postage, etc.

Training Audio Visual Supplies - \$20,000 Troop S initiated the search for a new location at the request of DPS. Due to circumstances beyond Troop S' control relocation was postponed during FY 17 period of performance. Troop S decided to hold off on the purchase of training audio visual equipment, as the installation on this would have been a wasted expense. Troop S' relocation is now on hold indefinitely and plan to continue forward with this request in 2018. The number of trainings hosted at headquarters is increasing and requires the audio visual equipment to be updated. These funds will go towards a new computer, project, sound equipment and more.

CB Radios - \$7,500 Oklahoma is having an increase in truck traffic on highways with no shoulders and local county roads. This makes it difficult to stop trucks in a safe location. The CB radio will give the inspector the ability to communicate with the truck driver to have him pull to a safe location for safety inspections. Also, this give the inspector communication with the truck driver when escorting the truck to a safe location to place truck or driver out of service.

Lidar - \$26,000 This is to outfit Lieutenants and/or Troopers with lidar when conducting traffic enforcement activities and special emphasis in high traffic corridors and construction zones.

Inspection Supplies - \$134,832 There are approximately 115 certified inspectors within the MCSAP program and expenses were calculated at about \$1170 per inspector. These funds will go towards FMCSR and Hazmat regulation manuals, out-of-service criteria, uniforms, paper, creepers, chocks, gloves, and CVSA decals.

Thermal Printers & Accessories - \$20,000 Purchase of printers and accessories to complete full roll out of new printer equipment to personnel conducting roadside inspections.

Uniform Maintenance & Repairs - \$5,000 Funds used to repair and alter Trooper uniforms.

**MOE Expenditures**

New Vehicle Police Package - \$385,000 Covers the cost of supplies to outfit a new unit which may include lights, sirens, radios, cameras, etc.

## 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
Contractual	DUNS	0	Contract	\$223,400.00	\$189,890.00	\$33,510.00
Description of Services: Contractual Services						
<b>TOTAL: Contractual and Subaward</b>				<b>\$223,400.00</b>	<b>\$189,890.00</b>	<b>\$33,510.00</b>
<b>Planned MOE: Contractual and Subaward</b>	<b>\$0.00</b>					

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

Standley Savin Copier - \$4,000 Contract with Standley Services to provide a machine with the ability to copy, fax and scan.

AT&T DSL Line - \$2,000 This is a DSL line provided at the OK FMCSA division for administrative staff, Troopers or Compliance Investigators to have internet access.

Cox Fax Line - \$400 Fax line through Cox Communications that provides fax capabilities.

MJH Properties - \$95,000 The office lease is a fixed cost that includes office space and all utilities. The office lease

amount will increase for 18 federal fiscal year due to an expanding division that requires more space. We will keep the current space but also approximately half of another office space nearby. We will share this space with another Troop within Oklahoma Highway Patrol and pay approximately 40% of the cost. This was determined by figuring the square footage that will be used solely for MCSAP and calculate that percentage of the lease amount as our portion to pay. The shared space of training room, break room and restrooms was not figured into this 40%. All utilities are included in this cost as well.

GoTo Training Services - \$4,000 As part of our continued efforts to improve the training offered Troop S is using the services through this company to provide training available remotely to our Troopers statewide. This will reduce travel expenses and wasted time spent driving.

Communication Costs - \$45,000 These funds will cover expenses related to MCSAP personnel cell phone and hotspot usage.

OMES Service Fees - \$73,000 In lieu of paying the salary and fringe of a dedicated IT position the state entered into an agreement with the State's Office of Management and Enterprise Services to provide IT support through a fee plan. The estimated annual cost is comparable to what the salary and fringe of an employee was.

~~Iteris CVIEW Plus/inSPECT/Civil Assessment - \$50,000 This will cover the deployment costs, operation and maintenance of the Iteris systems like the CVIEW window, inSPECT roadside inspection software and the civil assessment system. Troop S has initiated the process to ensure Oklahoma has approval for InSPECT as required per MCP 5.3.9 through FMCSA.~~

## 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
Other Expenses	1	ea	\$268,800.00	\$268,800.00	\$228,480.00	\$40,320.00
<b>TOTAL: Other Costs</b>				<b>\$268,800.00</b>	<b>\$228,480.00</b>	<b>\$40,320.00</b>
<b>Planned MOE: Other Costs</b>	<b>\$0.00</b>					

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

MCSAP Fuel & Maintenance Costs - \$190,000 Fuel and maintenance costs are necessary for the operation of the personnel and will be billed with the respective level of effort to the MCSAP program.

RegScan - \$27,000 Troop S uses the Hazmat Transportation Enforcement Software created by RegScan to aid in Hazmat inspections.

HM Chemical Testing - \$2,500 During Compliance Reviews or driver/vehicle inspections there may be a need to test hazardous

materials being transported. This test will be used to determine if the carrier is in compliance with Hazardous Materials rules and regulations.

Training Costs - \$20,000 This will cover costs associated with hosting a North American A&B school, Hazmat school, and various other trainings through the year for refresher training as needed.

Miscellaneous - \$3,000 There were various costs that were incurred last FFY that we expect could be incurred this year as well. This could include translator services for administrative hearings, Title VI publications, educational/outreach materials, etc.

CVSA Decals - \$5,000 CVSA decals are issued to a motor carrier when he/she passes a Level 1 or Level V inspection with no violations.

CVSA Membership Fee - \$12,300 Troop S pays an annual membership fee to be a member of the CVSA.

CVSA Conference Registration Fees - \$9,000 The State encourages participation in the CVSA conferences as it has proven very beneficial over the years in increasing our knowledge of safety practices across the U.S. It also encourages uniformity in our state and allows the State to create partnerships with other states. Personnel are budgeted to attend COHMED and CVSA Spring/Fall Conferences to ensure a valuable presence in the committees.

## 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	\$5,846,987.00	\$1,031,822.00	\$6,878,809.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of Basic award amount):	\$1,031,822.00
MOE Baseline:	\$1,077,371.67

Estimated Expenditures			
Personnel			
	Federal Share	State Share	Total Project Costs
CAPTAIN	\$82,650.00	\$0.00	\$82,650.00
LIEUTENANT	\$500,000.00	\$0.00	\$500,000.00
TROOPER	\$2,204,350.02	\$0.00	\$2,204,350.02
CIVILIAN AUDITORS	\$175,000.00	\$0.00	\$175,000.00
Administrative Program Officer III	\$59,909.58	\$0.00	\$59,909.58
Administrative Program officer I	\$42,000.00	\$0.00	\$42,000.00
Administrative Assistant II	\$78,000.00	\$0.00	\$78,000.00
Administrative Assistant I	\$73,200.00	\$0.00	\$73,200.00
Attorney	\$48,000.00	\$0.00	\$48,000.00
Port of Entry CMV Officers	\$0.00	\$514,256.52	\$514,256.52
<b>Salary Subtotal</b>	<b>\$3,263,109.60</b>	<b>\$514,256.52</b>	<b>\$3,777,366.12</b>
All MCSAP Staff	\$412,499.80	\$0.00	\$412,499.80
<b>Overtime subtotal</b>	<b>\$412,499.80</b>	<b>\$0.00</b>	<b>\$412,499.80</b>
<b>Personnel total</b>	<b>\$3,675,609.40</b>	<b>\$514,256.52</b>	<b>\$4,189,865.92</b>
<b>Planned MOE</b>	<b>\$420,000.00</b>		

Fringe Benefits			
	Federal Share	State Share	Total Project Costs
CAPTAIN	\$28,497.72	\$0.00	\$28,497.72
LIEUTENANT	\$230,000.00	\$0.00	\$230,000.00
TROOPER	\$881,960.44	\$0.00	\$881,960.44
CIVILIAN AUDITOR	\$94,990.00	\$0.00	\$94,990.00
Administrative Program Officer III	\$32,995.76	\$0.00	\$32,995.76
Administrative Program Officer I	\$22,999.20	\$0.00	\$22,999.20
Administrative Assistant II	\$38,493.00	\$0.00	\$38,493.00
Administrative Assistant I	\$38,495.88	\$0.00	\$38,495.88
Attorney	\$24,998.40	\$0.00	\$24,998.40
POE CMV Officers	\$0.00	\$342,780.38	\$342,780.38
All Employees Accrued Leave	\$0.00	\$37,500.30	\$37,500.30
<b>Fringe Benefits total</b>	<b>\$1,393,430.40</b>	<b>\$380,280.68</b>	<b>\$1,773,711.08</b>
<b>Planned MOE</b>	<b>\$153,247.00</b>		





Travel			
	Federal Share	State Share	Total Project Costs
Program Travel	\$141,100.00	\$24,900.00	\$166,000.00
<b>Travel total</b>	<b>\$141,100.00</b>	<b>\$24,900.00</b>	<b>\$166,000.00</b>
<b>Planned MOE</b>	<b>\$0.00</b>		

Equipment			
	Federal Share	State Share	Total Project Costs
Training Audio Visual Equipment	\$7,395.00	\$1,305.00	\$8,700.00
<b>Equipment total</b>	<b>\$7,395.00</b>	<b>\$1,305.00</b>	<b>\$8,700.00</b>
<b>Planned MOE</b>	<b>\$320,000.00</b>		

Supplies			
	Federal Share	State Share	Total Project Costs
Office Supplies	\$29,750.00	\$5,250.00	\$35,000.00
Training Audio Visual Supplies	\$17,000.00	\$3,000.00	\$20,000.00
CB Radios	\$6,375.00	\$1,125.00	\$7,500.00
Lidar	\$22,100.00	\$3,900.00	\$26,000.00
Inspection Supplies	\$114,607.20	\$20,224.80	\$134,832.00
Thermal Printers & Accessories	\$17,000.00	\$3,000.00	\$20,000.00
Uniform Maintenance & Repair	\$4,250.00	\$750.00	\$5,000.00
<b>Supplies total</b>	<b>\$211,082.20</b>	<b>\$37,249.80</b>	<b>\$248,332.00</b>
<b>Planned MOE</b>	<b>\$385,000.00</b>		

Contractual and Subaward			
	Federal Share	State Share	Total Project Costs
Contractual	\$189,890.00	\$33,510.00	\$223,400.00
<b>Contractual and Subaward total</b>	<b>\$189,890.00</b>	<b>\$33,510.00</b>	<b>\$223,400.00</b>
<b>Planned MOE</b>	<b>\$0.00</b>		

Other Costs			
	Federal Share	State Share	Total Project Costs
Other Expenses	\$228,480.00	\$40,320.00	\$268,800.00
<b>Other Costs total</b>	<b>\$228,480.00</b>	<b>\$40,320.00</b>	<b>\$268,800.00</b>
<b>Planned MOE</b>	<b>\$0.00</b>		

Total Costs			
	Federal Share	State Share	Total Project Costs
<b>Subtotal for Direct Costs</b>	<b>\$5,846,987.00</b>	<b>\$1,031,822.00</b>	<b>\$6,878,809.00</b>
<b>Total Costs Budgeted</b>	<b>\$5,846,987.00</b>	<b>\$1,031,822.00</b>	<b>\$6,878,809.00</b>
<b>Total Planned MOE</b>	<b>\$1,278,247.00</b>		

**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	\$5,846,987.00	\$1,031,822.00	\$6,878,809.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of Basic award amount):	\$1,031,822.00
MOE Baseline:	\$1,077,371.67

Estimated Expenditures				
	Federal Share	State Share	Total Project Costs	Planned MOE Costs
Salary Subtotal	\$3,263,109.60	\$514,256.52	\$3,777,366.12	NA
Overtime Subtotal	\$412,499.80	\$0.00	\$412,499.80	NA
Personnel Total	\$3,675,609.40	\$514,256.52	\$4,189,865.92	\$420,000.00
Fringe Benefits Total	\$1,393,430.40	\$380,280.68	\$1,773,711.08	\$153,247.00
Travel Total	\$141,100.00	\$24,900.00	\$166,000.00	\$0.00
Equipment Total	\$7,395.00	\$1,305.00	\$8,700.00	\$320,000.00
Supplies Total	\$211,082.20	\$37,249.80	\$248,332.00	\$385,000.00
Contractual and Subaward Total	\$189,890.00	\$33,510.00	\$223,400.00	\$0.00
Other Costs Total	\$228,480.00	\$40,320.00	\$268,800.00	\$0.00
	85% Federal Share	15% State Share	Total Project Costs	Planned MOE Costs
Subtotal for Direct Costs	\$5,846,987.00	\$1,031,822.00	\$6,878,809.00	\$1,278,247.00
Indirect Costs	\$0.00	\$0.00	\$0.00	NA
<b>Total Costs Budgeted</b>	<b>\$5,846,987.00</b>	<b>\$1,031,822.00</b>	<b>\$6,878,809.00</b>	<b>\$1,278,247.00</b>

**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? Michael C. Thompson
2. What is this person's title? Secretary of Safety and Security
3. Who is your Governor's highway safety representative? Michael C. Thompson
4. What is this person's title? Secretary of Safety and Security

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

- ☒ Yes
- ☐ No

**State Certification declaration:**

I, Michael C. Thompson, Secretary of Safety and Security, on behalf of the State of OKLAHOMA, 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? Michael C. Thompson
2. What is the title of your certifying State official? Secretary of Safety and Security
3. What are the phone # and email address of your State official? 405-425-2001 Mike.Thompson@dps.ok.gov

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

- ☒ Yes
- ☐ No

I, Michael C. Thompson, 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.

**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
HB 2312	11/01/2017	T47 os 11-309	Adds restrictions for the use of the left-hand lane while driving on roadways laned for traffic
SB 21	11/01/2017	T47 os 1-108.1	Defines the term "Tillerman" to mean every person physically located on a CMV to assist with the steering of the CMV.
SB 22	11/01/2017	T47 os 1-108.2	Defines the term "Steerman" to mean every person not physically located on a CMV to assist with the steering of the CMV.
SB 23	11/01/2017	T47 os 1-174	Reduces the maximum number of persons to be carried in a taxi cab from 10 to 8
SB 26	11/01/2017	T47 os 1-105	Amends definition of a bus to not exclude taxi cabs

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

☒ Yes ☐ No

In the table below, provide the section changed and the effective date of the administrative change or policy adoption. Include a brief description of the policy or action. Please include a hyperlink or URL, in the summary if available.

Administrative and Policy Adoption		
Section Changed	Effective Date	Summary of Changes
OKAR 595:35	11/01/2017	Changes to OK Admin Rules regarding enforcement of Oklahoma motor carrier safety and hazardous materials safety transportation <a href="http://www.okar.state.ok.us/okar/codedoc02.nsf/frmMain?OpenFrameSet&amp;Frame=Main&amp;Src=_75tnm2shfcdnm8pb4dthj0chedppmcbq8dtmmak31ctijurgcln50ob7ckj42tbkdt374obdcli00_">http://www.okar.state.ok.us/okar/codedoc02.nsf/frmMain?OpenFrameSet&amp;Frame=Main&amp;Src=_75tnm2shfcdnm8pb4dthj0chedppmcbq8dtmmak31ctijurgcln50ob7ckj42tbkdt374obdcli00_</a>
OKAR 595:30-3-17	11/01/2017	Adds definition to tillerman and steerman to permit rules



U.S. Department  
of Transportation

Federal Motor Carrier  
Safety Administration

1200 New Jersey Avenue, SE  
Washington, DC 20590

August 1, 2017

In Reply Refer To: MC-CR  
FY 2018 Pre-Award OKDPS

Mr. Michael C. Thompson, Commissioner  
Oklahoma Department of Public Safety  
200 NE 38<sup>th</sup> Terrace  
Oklahoma City, OK 73105

Dear Mr. Thompson:


We are in receipt of the Oklahoma Department of Public Safety's (DPS) Federal Motor Carrier Safety Administration (FMCSA) Title VI Program Compliance Plan. We have reviewed your FMCSA Title VI Program Compliance Plan and find that the Plan contains all elements stipulated in the FMCSA Title VI Program Compliance Plan Checklist. Therefore, FMCSA approves the Oklahoma DPS's Title VI Program Compliance Plan for Federal Fiscal Year (FY) 2018. We do request that the Oklahoma DPS notify FMCSA's Office of Civil Rights should it provide funding to another Recipient (Sub-Recipient) and/or be the object of a Title VI Program compliance review conducted by another Federal agency. In this eventuality, we will coordinate with the Oklahoma DPS to ensure that the Title VI Program Compliance Plan is updated with the additional information.

On an annual basis, FMCSA's Office of Civil Rights will conduct compliance reviews of a representative sampling of FMCSA Grant Recipients. FMCSA has approximately 125 Recipients annually. If and/or when the Oklahoma DPS is chosen as one of the FMCSA Grant Recipients' Title VI Program that will be reviewed in a given year, the Office of Civil Rights will use the approved Title VI Program Compliance Plan as the basis for conducting the desk audit and will request additional documentation as deemed appropriate during the review.

In addition, a small number of Recipients who are selected for a Title VI Program compliance review will also be selected for an on-site visit which will include personnel interviews. We appreciate your future assistance in the event the Oklahoma DPS is chosen for a compliance review in a given year.

If at any time your Agency has Title VI Program-related questions, please do not hesitate to contact Mr. Lester Finkle, National Title VI Program Manager at (202) 366-4474 or [lester.finkle@dot.gov](mailto:lester.finkle@dot.gov).

Sincerely,

  
for Kennie J. May, Sr.  
Director  
Office of Civil Rights

Cc: Whitney Herzog Scimeca, Assistant General Counsel, Oklahoma DPS  
Jerry Mac Kirk, Division Administrator, Oklahoma Division Office  
Larry Ramsey, Safety Program Manager, Oklahoma Division Office

# OKLAHOMA DEPARTMENT OF PUBLIC SAFETY



## TITLE VI PROGRAM COMPLIANCE PLAN FFY 2018

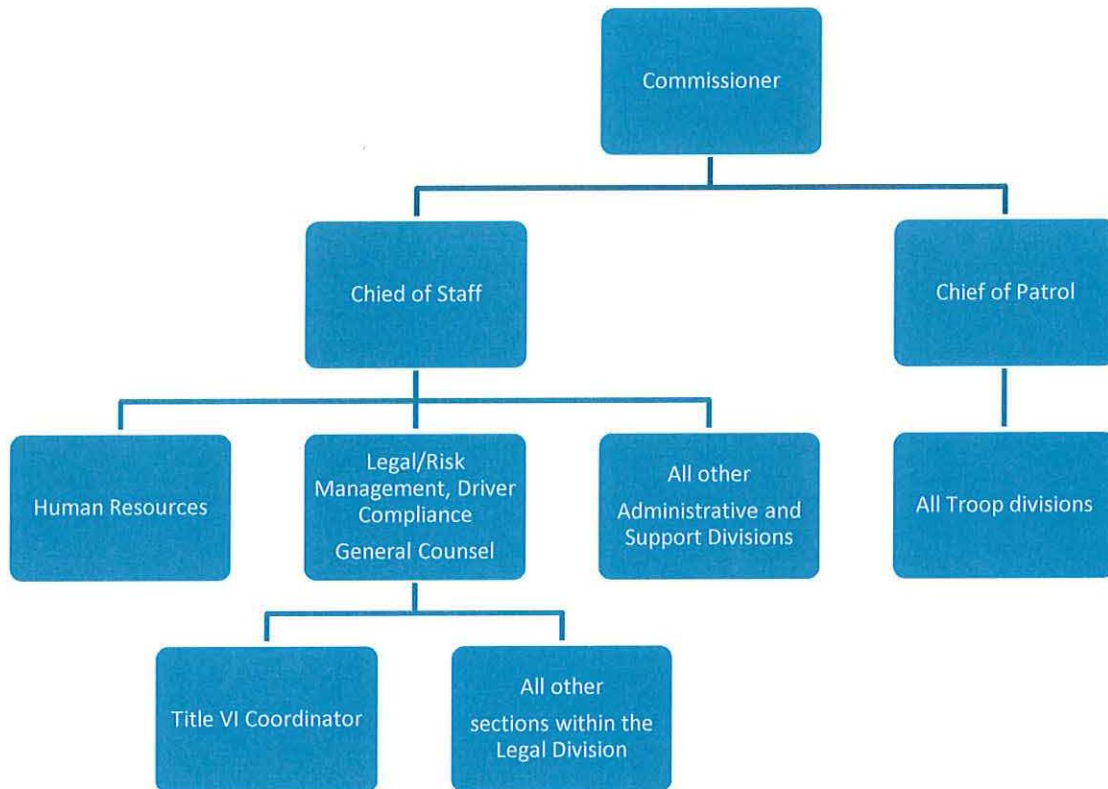
Oklahoma Department of Public Safety  
Oklahoma Highway Patrol, Troop S  
200 N.E. 38<sup>th</sup> Terrace  
Oklahoma City, OK 73105  
Phone: (405) 521-6060  
Fax: (405) 702-0819



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Oklahoma Department of Public Safety  
Title VI Program Coordinator



## **I. Policy Statement**

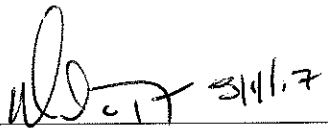
The Oklahoma Department of Public Safety (DPS) is a state governmental entity committed to compliance with 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs of the Department of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964) and 49 C.F.R. Part 303 (Title VI/Non-discrimination Regulation of the Federal Motor Carrier Safety Administration (FMCSA)). Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in all federally assisted programs. The Federal-aid Highway Act of 1973 (23 U.S.C. 324) added sex as a protected status in all Federal Highway Administration activities. 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.

The Title VI Program Coordinator is selected by the General Counsel and confirmed by the Commissioner. The position of Title VI Program Coordinator can be re-assigned at any time. The Title VI Program Coordinator is granted the responsibility and authority to effectively implement the Title VI Program. Effective March 1, 2016, Whitney Herzog Scimeca, Assistant General Counsel, was assigned the additional duty of Title VI Program Coordinator.

DPS will take all steps to ensure that no person or groups of persons shall, on the grounds of race, color, national origin, sex, age, disability, low-income, or limited English proficiency (LEP) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in conformance with the FMCSA Title VI Program Assurance attached hereto.

The DPS Title VI Program Coordinator, in conjunction with the DPS Legal Division, is granted the responsibility and authority to administer and monitor the Title VI Non-discrimination Program as promulgated under Title VI of the Civil Rights Act of 1964 and any related Non-discrimination authorities. DPS and OHP shall provide assistance to the Title VI Program Coordinator as needed. The Title VI Program Coordinator's office is located at the Oklahoma Highway Patrol (OHP) Troop S headquarters.

VJWHS  
7-31-17

  
\_\_\_\_\_  
Michael C. Thompson  
Commissioner of Public Safety

\_\_\_\_\_  
Date

## **II. FMCSA Title VI Program Assurance**

## The United States Department of Transportation

### Standard Title VI/Non-Discrimination Assurances

#### DOT Order No. 1050.2A

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

#### Statutory/Regulatory Authorities

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

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

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

to ensure nondiscrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and FMCSA intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations. See the following FHWA website for more information and facts about Environmental Justice: [http://www.fhwa.dot.gov/environment/environmental\\_justice/index.cfm](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 **(Title of Recipient)**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant*

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

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

By signing this ASSURANCE, [Name of the recipient] 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.

[Name of Recipient] gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the Department of Transportation under the **FMCSA Program**. This ASSURANCE is binding on [insert State], 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.

✓WHS  
7-31-17

Oklahoma Department of Public Safety  
(Name of Recipient)

by [Signature] 8/1/17  
(Signature of Authorized Official)

DATED \_\_\_\_\_



## APPENDIX A

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

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

## CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

### APPENDIX B

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

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

### (HABENDUM CLAUSE)

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

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

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

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

### APPENDIX C

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

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

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

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

**APPENDIX D**

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

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

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

## APPENDIX E

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

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

### **III. Description of Federal-Aid Programs**

DPS is applying for Federal-Aid funding through the Motor Carrier Safety Assistance Program (MCSAP). DPS is the Oklahoma lead MCSAP agency, designated by the Governor, and is therefore eligible to receive grant funding through submission of a commercial vehicle safety plan (CVSP), in accordance with the provisions of 49 C.F.R. 350.201 and 205. The MCSAP grant is intended to reduce the number of crashes, injuries, and fatalities involving large trucks and buses by conducting roadside inspections, Safety Audits, Compliance Reviews, education and outreach, size and weight enforcement, reporting CMV accidents in accordance with current FMCSA policy guidelines, verifying CMV licenses during roadside inspections, and uploading inspection data.

The Title VI Program Coordinator will conduct a Four-Factor Analysis to prevent discrimination based upon National Origin. Executive Order 13166, 3 C.F.R. 289 (2001), 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). The Guidance Document 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.”<sup>1</sup>

### **IV. Notification to Beneficiaries/Participants**

The Title VI Program obligations and protections are published on the OHP, Troop S website, <http://www.ok.gov/ohpcmv/>, Navigate drop down tab, within Title VI Non-Discrimination Program. The OHP Troop S website is linked to the main DPS website, <https://www.ok.gov/dps/>, Other DPS Topics... drop down tab, within Civil Rights.

#### **A. Dissemination of Information**

In addition to disseminating Title VI Program information through the OHP, Troop S website, pamphlets are also available upon request at any location where DPS conducts business.

#### **B. Contents of Notification**

1. The information on the website and in the pamphlets includes a statement that DPS/OHP does not discriminate based upon race, color, national origin, sex, age, disability, low-income or LEP. The pamphlet and website also list the procedure to

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<sup>1</sup> (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).

request additional information and/or file a complaint.

2. Any person who believes that he or she, individually, as a member of any specific class, has been subjected to discrimination prohibited by the Title VI Program may file a complaint with the Title VI Program Coordinator. A complaint may be filed by a representative on behalf of such a person.
  - a. Complaints must be filed no later than 180 calendar days after:
    - i. The date of the alleged act of discrimination; or
    - ii. Where there has been a continuing course of conduct, the date on which that conduct last occurred.
  - b. The mechanism for filing a Complaint will be the use of a Title VI Program Complaint Form only, available on the OHP, Troop S website or by request at the OHP Troop S headquarters, 200 NE 38th Terrace, Oklahoma City, OK, 73105 and at any location where DPS conducts business. The person filing the Complaint must state, as fully as possible, the facts and circumstances surrounding the claimed discrimination.
  - c. All complaints will be directed to the Title VI Program Coordinator.
  - d. The Title VI Program Complaint Form contains information that the Complaint must be submitted in writing, and may be submitted electronically through OHP Troop S' website, in person, by mail, or by fax.

Title VI Program Coordinator  
OHP Troop S  
200 NE 38th Terrace  
Oklahoma City, OK, 73105  
Phone # 405-521-6060  
Fax # 405-702-0819

## **V. Sub-Recipient Compliance Reports**

OHP/DPS does not presently or currently intend to provide federal funding to another entity.

## **VI. Training**

Training will be offered once per year and coordinated by the Title VI Program Coordinator. The Program Coordinator will offer the class to all DPS and OHP employees. Troop S, the Legal Division staff, and investigators may be assigned non-discrimination related responsibilities. The training program consists of, but will not be limited to, a PowerPoint presentation regarding the applicable non-discrimination civil

right laws and the complaint disposition process. The training may be presented in-person and/or electronically.

The purpose of the training will be:

1. To refresh, by presentation, the Title VI Program Coordinator's understanding of his/her roles and responsibilities;
2. To educate staff members within Troop S, who are responsible for driver/vehicle inspection activities, regarding Title VI Program requirements;
3. To communicate to the Troop S Captain, Lieutenants, Troopers, Commercial Vehicle Traffic Enforcement Program (CVTEP) Troopers, Traffic Trooper Enforcement Program (TTEP) Troopers, and civilian inspectors responsible for enforcement activities how the Title VI Program requirements impact how they conduct enforcement activities;
4. To teach Compliance Review inspectors (Troopers and civilians) and Safety Audit inspectors (Troopers and civilians), responsible for compliance reviews and safety audits, the requirements of the Title VI Program and how the requirements impact how they conduct compliance reviews and safety audits;
5. To convey to DPS or OHP staff that are responsible for Title VI Program Compliance Review activities to understand how Title VI Program requirements impact Compliance Reviews;
6. To relate to Troopers that conduct public education and awareness activities how Title VI Program requirements impact how they conduct outreach activities
7. To notify DPS Legal Division staff and other DPS/OHP staff that may be requested to assist in the Title VI Program about the program's requirements; and
8. To inform DPS and OHP personnel of applicable non-discrimination civil right laws and the complaint disposition process.
9. To make any investigator(s) assigned to a Title VI training complaint aware of the regulations that are included with Title VI, the Title VI requirements, and our Title VI disposition process.

## **VII. Access to Records**

All records relating to the effective implementation of the Title VI Program will be made available to FMCSA upon request.

## **VIII. Complaint Disposition Process**

DPS will use the following, internal procedures for prompt processing and resolution of all Title VI Program complaints received. The Title VI Program Complaint



Disposition procedure will adhere to but not limited to the following minimum number of steps:

**A. Intake**

1. Upon receipt of the complaint form, the Title VI Program Coordinator or designee will enter the complaint in a log, determine the basis of the complaint, identify the authority/jurisdiction, and recommend the party to conduct the investigation.
  - a. The Title VI Program Coordinator or designee will review and determine the appropriate action regarding every Title VI Program complaint. DPS will not proceed with or continue a complaint investigation if:
    - i. The complaint is, on its face, without merit;
    - ii. The same allegations and issues of the complaint have been addressed in a recently closed investigation or by previous federal court decisions; or
    - iii. The person filing the complaint or alleged injured party refuses to cooperate (including refusal to give permission to disclose his or her identify), making it impossible to investigate further.
  - b. Within ten (10) business days, the Title VI Program Coordinator or designee will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to be taken to process the allegation.

**B. Investigation**

1. Beginning within sixty (60) calendar days from the date the original complaint was received; DPS will conduct an investigation into the allegation(s) based on the information provided.
2. DPS will conduct an in-depth, personal interview with the person making the complaint(s). DPS will gather information, including: identification of each complainant by race, color, national origin, sex, age, disability, low-income, or limited English proficiency (LEP); name of the complainant; a complete statement concerning the nature of the complaint, including names, places, and incidents involved in the complaint; the date the complaint was filed; and any other pertinent information deemed relevant to the complaint. The interviewer will recorded the interview on audio tape and/or take notes.
3. DPS will provide the complainant the opportunity to read, make necessary changes to, and sign the interview transcript or interview notes.
4. Every effort will be made to obtain early resolution of complaint, at the lowest possible level.

**C. Investigation Report**

**D. Evaluation made regarding merit of allegation(s)**

**E. Determination** (Resolution/Finding, disposition of the complaint)

The Title VI Program Coordinator shall mail the complainant a letter, which details the findings, conclusions, and any corrective action taken. The letter shall address all issues in the complaint and be mailed within ninety (90) calendar days of receipt of the complaint. The ninety (90) days may be extended as necessary to finish the investigation, evaluation, and/or determination but shall not exceed one hundred and eighty (180) calendar days from receipt of the complaint. If the time frame needs to be extended a letter shall be mailed to the complaint indicating that the time has been extended and by how long.

**F. Complaint log**

The Title VI Program Coordinator shall maintain a Title VI Program Complaint Log. The Title VI Program Complaint Log will be made available to FMCSA upon request. The Title VI Program Complaint Log shall include the following information:

1. Name of complainant;
2. Identification by demography (i.e., race, color, national origin, etc.);
3. Allegation(s);
4. Complaint Date;
5. Date of Report of Investigation;
6. Determination;
7. Determination date; and
8. Any other relevant information as deemed appropriate by DPS/OHP

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

Not currently applicable. No Title VI Program Compliance Reviews have occurred.

**X. Community Participation Process**

DPS provides motorist licensure services to the public, which includes knowledge tests and skills tests. In the event that DPS will be permanently increasing or decreasing the number of publically-accessed facilities and/or the services provided at certain publically-accessed facilities, DPS will conduct outreach to the public.

**A. To accomplish this outreach, DPS will:**

- 1. Prepare a Stakeholders List.**

**2. Plan Public Meetings.**

- a. The number of public meetings, the location, and at what time will be determined by what would be strategically-significant and most appropriate to reach the greatest number of costumers.
- b. The Public Meeting information will be posted on posted on DPS' website and may be additionally posted in any other manner deemed appropriate by DPS.
- c. The public meetings will be held within a reasonable amount of time before the change(s) are scheduled to occur.

**3. Publicize Proposed Change(s).** Any proposed changes will be posted on DPS' website and may be additionally publicized in any other manner deemed appropriate by DPS.

**4. Conduct the Public Meetings.** The meeting will be held for a reasonable amount of time in order for attendees to provide comments regarding the proposed changes.

**5. Review and analysis.** At the conclusion of the outreach effort, the comments will be reviewed and analyzed in regards to the impact it will have on all customers (regardless of a customer's race, color, national origin, sex, age, disability, income-level, or LEP), regarding their ability to access the facilities/services both prior to the proposed change(s) and following the proposed change(s). The review and analysis will be documented.

**6. Written Report.** A detailed record will be prepared to capture all aspects of the outreach effort.

**7. Submission to FMCSA.** The record will be submitted to FMCSA, upon request.

**8. Implement the change(s).**

**9. Monitor Feedback.** Feedback from customer communications will be monitored for six (6) months, for reactions to the change.

**10. Re-Evaluate.** The change(s) will be re-evaluated after six (6) months.

**11. Adjust.** The change(s) may be adjusted as appropriate.

**12. Notification of Title VI Program Protections.** Beneficiaries and the public will be notified of the protections available to them under the Title VI Program and the procedures for filing a Title VI complaint in accordance with the Notification to Beneficiaries/Participants section of this Plan.

B. The steps taken to accomplish the preceding will be as comprehensive and intensive as is required by the nature of the proposed change(s). For example, the effort required for an increase in the number of publically-accessed facilities may not be as comprehensive and intensive as the decrease of publically-accessed facilities and/or decrease of services provided at identified locations.

## FY 2018 Certification of MCSAP Conformance (State Certification)

I **Michael C. Thompson, Secretary of Safety and Security & Commissioner Department of Public Safety**, on behalf of the State of Oklahoma, 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 **Oklahoma Department of Public Safety** as the Lead State Agency to administer the Commercial Vehicle Safety Plan throughout the State for the grant sought and **Oklahoma Highway 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 **Michael C. Thompson**.
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.

JWS  
8-7-17

Date 08/09/17

Signature Gerald Davidson

Gerald Davidson, Chief of Staff  
For Secretary Michael C. Thompson

OKLAHOMA DEPARTMENT OF PUBLIC SAFETY  
REGULATORY COMPATIBILITY REVIEW

In accordance with 49 CFR, Parts 350 and 355, as **COMMISSIONER** for the **Oklahoma Department of Public Safety**, State of Oklahoma, I do hereby certify that a regulatory review has been conducted and the State of Oklahoma is compatible with appropriate parts of the Federal Motor Carrier Safety Regulations (FMCSR) and the Federal Hazardous Material Regulations (FHMR) as follows:

Oklahoma has adopted the Federal Motor Carrier Safety and Hazardous Material Regulations under statutory authority of 47 O.S. § 230.4. The adoption of the regulations have been codified in agency rules, Title 595 Oklahoma Department of Public Safety, Chapter 35 Enforcement of Oklahoma Motor Carrier Safety and Hazardous Materials Transportation Act, Sections 595:35-1-4 through 595:35-1-6. Oklahoma has adopted 49 CFR, Part 387 insurance regulations under statutory authority of 47 O.S. § 162. The adoption of the regulations has been codified in agency rules, Title 165 Corporation Commission, Chapter 30 Motor Carrier, Section 165:30-3-11.

Listed below is a table that provides an overview of Federal Regulations (INTERSTATE) currently adopted by the DPS and where compatible rules exist for INTRASTATE Carriers:

49 CFR, PART	For Hire Carriers (Y=Compatible Rules Exist)	Private Carriers (Y=Compatible Rules Exist)	Exempt Carriers (Y=Compatible Rules Exist)
40	Y	Y	Y
382	Y	Y	Y
383	Y	Y	Y
385	Y	Y	Y
386	Y	Y	Y
387	Y	Y	Y
390	Y	Y	Y
391	Y	Y	Y
392	Y	Y	Y
393	Y	Y	Y
395	Y	Y	Y
396	Y	Y	Y
397	Y	Y	Y
107	Y	Y	Y
171	Y	Y	Y
172	Y	Y	Y
173	Y	Y	Y
177	Y	Y	Y
178	Y	Y	Y
180	Y	Y	Y

OKLAHOMA DEPARTMENT OF PUBLIC SAFETY  
P.O. Box 11415  
Oklahoma City, OK 73136

VWHS  
8-8-17

  
Michael C. Thompson, Commissioner

Dated this 09 day of August, 2017

Gerald Davidson, Chief of Staff  
For Secretary Michael C. Thompson

## FMCSA Administrative Capability Questionnaire for State and Local Governments

The Federal Motor Carrier Safety Administration (FMCSA) uses the standards set forth in the Code of Federal Regulations at 49 CFR Part 18, 2 CFR Part 225, and the Office of Management and Budget's (OMB) Circular A-133, "Audits of States, Local Governments and Non-profit Organizations" to assess the adequacy of administrative management systems.

The relevant regulations may be found at <http://www.dot.gov/ost/m60/grant/49cfr18.htm>, the US Government Printing Office's site at <http://www.gpoaccess.gov/cfr/index.html>, and the OMB site at [http://www.whitehouse.gov/omb/circulars\\_default/](http://www.whitehouse.gov/omb/circulars_default/).

If your organization is being considered for an FMCSA grant, and your organizational policies and procedures do not fully cover the areas outlined in the questionnaire, revised or new policies may be necessary to comply with Federal financial management standards.

### PART I - GENERAL

1.	<b>Legal Name of the Organization</b>	Oklahoma Department of Public Safety
2.	<b>Other Organizational Names or Acronyms Used</b>	Oklahoma Highway Patrol (OHP), Troop S
2a	<b>Please Identify any affiliated organizations</b>	
3.	<b>Dun and Bradstreet (D&amp;B) Data Universal Numbering System (DUNS) Number</b>	0824700017
4.	<b>Is your accounting system accrual based or cash based?</b>	Accrual
5.	<b>Is your accounting system manual, automated or combination?</b>	Combination
6.	<b>Has an audit been performed on the organization's financial statement?</b>	Yes
7.	<b>What was the audit opinion?</b>	No Reportable Findings
8.	<b>If the organization has expended more than \$500,000 in federal grant funds within a year, has an A-133 audit been performed?</b>	Yes
9.	<b>If yes, were there any major findings and please provide the electronic link to the report?</b>	N/A
10.	<b>If no, please provide the reason why.</b>	N/A
11.	<b>Does the organization have an approved indirect cost rate with the Federal government?</b>	N/A
12.	<b>Have any key personnel listed in the application been debarred or suspended from participation in Federal Assistance programs? If yes, please note whom, when and for what reasons?</b>	No
13.	<b>Does the organization maintain a Drug-Free Workplace, based upon the attached definition of a Drug-Free Workplace. (See attached definition)</b>	Yes



14.	Does the organization maintain appropriate Anti-Lobbying Policies (as defined the in the attached section below)	Yes
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## PART II - ADMINISTRATIVE CAPABILITY

Instructions: Check the appropriate box to the right for each item. If your organization has written policies/procedures that validate/meet the requirement, check the box under the Yes column. If your organization does not have written policies/procedures that validate/meet the requirement described under this column, check the box under the No column and explain in the box or in an attachment		Yes	No (explain)
<b>STANDARDS FOR FINANCIAL MANAGEMENT SYSTEMS</b>			
1.	Does your accounting and financial management system(s) follow Generally Accepted Accounting Principles? (2 CFR Part 225 Appendix A,)	Yes	
2.	Is your financial management system(s) sufficient to permit preparation of reports required by the applicable statutes and regulations? (49 CFR 18.20(a)(1))	Yes	
3.	Is your financial management system(s) sufficient to permit the tracing of funds to a level of expenditure adequate to establish that funds have not been expended in violation of applicable statutes? (49 CFR 18.20(a)(2))	Yes	
4.	Does your financial management system(s) provide accurate, current, and complete disclosure of the financial results of the financially assisted activities required by the financial reporting requirements of the grant? (49 CFR 18.20 (b)(1))	Yes	
5.	Does your financial management system(s) contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, expenditures, and income sufficient to identify the source and application of funds provided for financially-assisted activities? (49 CFR 18.20 (b)(2))	Yes	
6.	Does your financial management system(s) provide for effective control and accountability for all grant cash, real and personal property, and other assets? (49 CFR 18.20(b)(3))	Yes	
7.	Can your financial management system(s) compare actual expenditures or outlays with budgeted amounts for each grant? Is financial information related to performance or productivity data, including unit cost information if appropriate or specifically required? (49 CFR 18.20(b)(4))	Yes	
8.	Does your financial management system(s) provide procedures for determining the reasonableness, allocability and allowability of costs in accordance with 2 CFR Part 225, "Cost Principles for State, Local, and Indian Tribal Governments"? (49 CFR 18.20(b)(5))	Yes	
9.	Does your financial management system(s) provide accounting records which include cost accounting records supported by source documentation? (49 CFR 18.20(b)(6))	Yes	
10.	Does your financial management system(s) minimize the time elapsed between transfer of funds from the U.S. Treasury and disbursement of the funds? Are drawdowns requested as close as possible to the time of disbursement? (49 CFR 18.20(b)(7))	Yes	
11.	If applicable, does your financial management system(s) provide procedures for conducting an audit in accordance with OMB Circular A-133? Currently, A-133 audits are required for recipients expending \$500,000 or more in federal funds during the fiscal year. (49 CFR 18.26(a))	Yes	
12.	Does your financial management system(s) provide or describe existing or planned indirect cost rates? (2 CFR Part 225 Appendix A, Section F)	Yes	

Instructions: Check the appropriate box to the right for each item. If your organization has written policies/procedures that validate/meet the requirement, check the box under the Yes column. If your organization does not have written policies/procedures that validate/meet the requirement described under this column, check the box under the No column and explain in the box or in an attachment. For new FMCSA grantees (entities that have not been funded by FMCSA within the past 5 years) please provide FMCSA with a copy (electronic is preferable) of the following items: 1) Most recent audit of financial statements and management letter, 2) procurement and property policies, 3) personnel policies and 4) travel policy. FMCSA will evaluate your responses against these items.		Yes	No (explain)
<b>PROPERTY AND PROCUREMENT STANDARDS</b>			
1.	Does your property management system(s) provide for maintaining: (1) a description of the equipment; (2) an identification number; (3) source of the property; (4) where title vests; (5) acquisition date; (6) property cost; (7) percentage of Federal participation in the cost of the property; (8) location, use, and condition of the property; and (9) ultimate disposition information, including date and sale price? (49 CFR 18.32(d)(1))	Yes	
2.	Does your property management system(s) provide for a physical inventory and reconciliation of property at least every two years? (49 CFR 18.32(d)(2))	Yes	
3.	Does your property management system(s) provide controls to insure safeguards against loss, damage or theft of the property? (49 CFR 18.32(d)(3))	Yes	
4.	Does your property management system(s) provide for adequate maintenance of the property? (49 CFR 18.32(d)(4))	Yes	
5.	Does your organization maintain written procurement procedures which (1) avoid unnecessary purchases; (2) provide an analysis of lease and purchase alternatives; and (3) provide a process for soliciting goods and services? If authorized or required to sell property, does your sales procedure ensure the highest possible return? (49 CFR 18.32(d)(5))	Yes	
6.	Does your organization maintain written procurement procedures which (1) avoid unnecessary purchases; (2) provide an analysis of lease and purchase alternatives; and (3) provide a process for soliciting goods and services? (49 CFR 18.36(b)(4))	Yes	
<b>PERSONNEL AND TRAVEL</b>			
1.	Does your organization maintain written standards of conduct governing the performance of your employees engaged in the award and administration of contracts (i.e., conflict of interest)? (49 CFR 18.36(b)(3))	Yes	
2.	Does your organization maintain a personnel system(s) which provides monthly reports on the activities of each employee whose compensation is charged to the assistance agreement? (2 CFR Part 225 Appendix B, 8(h)(5))	Yes	
3.	Are fringe benefits reasonably and consistently applied to all grantees and included in the indirect costs or direct costs? Please designate where fringe benefits are applied, recognizing that they may not be applied across both cost categories.	Yes	
4.	Does the organization's timekeeping system meet the requirements of the applicable cost principles? (2 CFR Part 225, Attachment B(8))	Yes	
3.	Does your organization maintain a standard travel policy, or in lieu of such a policy, follow the rates established under 5 U.S.C. 5701 <i>et seq.</i> ? (2 CFR Part 225 Appendix B, (43))	Yes	
<b>SUB-AWARD SYSTEM</b>			
1.	Do your sub-award system meet federal requirements? (OMB Circular A-133, Subpart D§___.400 (d); 49 CFR Part 18)	N/A	
2.	Does your organization maintain written procedures outlining sub-recipient responsibilities and include: 1) any clauses required by federal statute and EO's and their implementing regulations, and; 2) include a provision for compliance with 49 CFR Part 18.42 in the sub-recipient agreement?	N/A	

3.	Does your organization train sub-recipients? If so, please provide verification, such as the agenda, table of contents, or documents that provide a sense of the general nature of the training.	N/A	
4.	Does your organization regularly monitor sub-recipients? If so, how often?	N/A	

### PART III - CERTIFICATION AND SUBMISSION

#### CERTIFICATION OF APPLICANT'S AUTHORIZED REPRESENTATIVE (REQUIRED):

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Name Michael C. Thompson

Title Secretary of Safety & Commissioner Department of Public Safety

Signature

*Gerald Davidson*

Date

*08/09/17*

#### SUBMISSION INSTRUCTIONS:

Complete and sign questionnaire, then scan and email to the Program Manager or deliver to the Division Office (in hard copy) if unable to deliver to the Program Manager via email.

Gerald Davidson, Chief of Staff  
For Secretary Michael C. Thompson

## **PART IV – POLICY DEFINITIONS**

**Drug Free Workplace** – The Organization/Agency will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
  - (a) The dangers of drug abuse in the workplace;
  - (b) The grantee's policy of maintaining a drug-free workplace;
  - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
  - (a) Abide by the terms of the statement; and
  - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted:

(a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

**Anti-Lobbying --** To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, 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 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, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying 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.