

VIRGIN ISLANDS

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

Date of Approval: Oct 29, 2018

Final CVSP

Part 1 - MCSAP Overview

1 - Introduction

The Motor Carrier Safety Assistance Program (MCSAP) is a Federal grant program that provides financial assistance to States to help reduce the number and severity of accidents and hazardous materials incidents involving commercial motor vehicles (CMV). The goal of the MCSAP is to reduce CMV-involved accidents, fatalities, and injuries through consistent, uniform, and effective CMV safety programs.

A State lead MCSAP agency, as designated by its Governor, is eligible to apply for grant funding by submitting a commercial vehicle safety plan (CVSP), in accordance with the provisions of [49 CFR 350.201](#) and [205](#). The lead agency must submit the State's CVSP to the FMCSA Division Administrator on or before August 1 of each year. For a State to receive funding, the CVSP needs to be complete and include all required documents. Currently, the State must submit a performance-based plan each year to receive MCSAP funds.

The FAST Act required the Federal Motor Carrier Safety Administration (FMCSA) to “prescribe procedures for a State to submit a multiple-year plan and annual updates thereto, under which the State agrees to assume responsibility for improving motor carrier safety by adopting and enforcing State regulations, standards, and orders that are compatible with the regulations, standards, and orders of the Federal Government on commercial motor vehicle safety and hazardous materials transportation safety.”

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

The online CVSP tool (eCVSP) outlines the State's CMV safety objectives, strategies, activities and performance measures and is organized into the following five parts:

- Part 1: MCSAP Overview
- Part 2: Crash Reduction and National Program Elements (FY 2018 - 2020)
- Part 3: National Emphasis Areas and State Specific Objectives (FY 2018 - 2020)
- Part 4: Financial Information (FY 2018)
- Part 5: Certifications and Documents

You will find that each of the five eCVSP parts listed above contains different subsections. Each subsection category will provide you with detailed explanation and instruction on what to do for completing the necessary tables and narratives.

The MCSAP program includes the eCVSP tool to assist States in developing and monitoring their grant applications. The eCVSP provides ease of use and promotes a uniform, consistent process for all States to complete and submit their plans. States and territories will use the eCVSP to complete the CVSP and to submit either a single year, or a 3-year plan. As used within the eCVSP, the term ‘State’ means all the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Virgin Islands.

2 - Mission/Goal Statement**Instructions:**

Briefly describe the mission or goal of the lead State commercial motor vehicle safety agency responsible for administering this Commercial Vehicle Safety Plan (CVSP) throughout the State.

NOTE: *Please do not include information on any other FMCSA grant activities or expenses in the CVSP.*

The mission of the U.S. Virgin Islands Police Department (VIPD) Office of Highway Safety's Motor Carrier Safety Assistnace Program is to reduce crash fatalitiies and injuries involving large commercial trucks and buses; as well as to increase the number of Commercial Motor Vehicle (CMV) inspections that are conducted annually; thus decreasing the number of incidents or potential risk of death or injuries in accordance with FMCSA's National CMV reduction fatality goals in order to maintain zero (0) crash fatalities in Fiscal Year 2018, 2019 and 2020.

3 - MCSAP Structure Explanation

Instructions:

Briefly describe the State's commercial motor vehicle (CMV) enforcement program funded by the MCSAP grant.

NOTE: Please do not include activities or expenses associated with any other FMCSA grant program.

The Virgin Islands Office of Highway Safety (VIOHS) is the lead agency for the US Virgin Islands Motor Carrier safety Assistance Program (MCSAP). Coordination and enforcement of all commercial vehicle activities is achieved through the US Virgin Islands Police Department.

The MCSAP program in the US Virgin Islands has been an educational conduit from its inception in 1995. The drivers are still being educated on the requirements of the MCSAP Program; however, enforcement occurs with local laws as it related to traffic safety. Commercial Motor Vehicles deemed unsafe are placed out-of-service and the drivers are notified to make all necessary repairs prior to placing the commercial motor vehicles back on the public roadways. The US Virgin Islands Office of Highway Safety/MCSAP will continue to participate in all national activities.

The VIOHS MCSAP program is run by a Coordinator who administers the program to ensure full compliance of the deliverables and all federal and local mandates. The position is territorial and oversight includes program requirements and activities on the islands of St. Croix, St. Thomas, and St. John. The Coordinator reports to the VIOHS Director; the Director reports to the VIPD Commissioner who is the Governor's Representative. Financial reports are completed by the VIOHS Fiscal Officer and reviewed entered into Delphi by the Department's Grants Manager.

The USVI MCSAP program has four (4) certified full-time inspectors (with one being on temporary assignment in another unit under the VIPD), that operates under the VIOHS as a specialized unit. Just as within the previous fiscal years, the Department is under a Consent Decree. Hence, the full-time inspectors do have commitments to fulfill under the consent decree such as weekly meetings, in-service training (firearms, use-of-force, and other related trainings), conferences and routine travel. With the assignment of full-time inspectors under the USVI MCSAP Program, the intent would be for the inspectors to conduct MCSAP funded/eligible activities 100% of the time with the exception of when they are required to complete departmental in-service training. Additionally, these officers/insectors may be pulled if the department declares a "State of Emergency"; as seen with the devastation the territory faced during Hurricanes Irma and Maria. Moreover, this may occur when officers/inspectors are pulled for security details on need for increased police presence. The VIPD Commissioner, is doing departmental restructuring and is forming a Traffic Enforcement Unit under the VI Office of Highway Safety. In an effort to build the number of inspectors to generate the needed results the USVI, MCSAP will collaborate with the National Training Center (NTC) to bring the training to the USVI to train and certify new inspectors to be completed in year 2 of using the FY 2017 funds. The intent would be to increase the number of inspectors to sixteen (16) from the current four (4) in the territory. The additional amount of twelve (12); six (6) per District will however be assigned on a part-time basis with having scheduled days determined by the Motor Carrier Commander and Coordinator to conduct related activities. When certified, training and re-certification standards needed for the inspectors will be maintained.

Traditionally, most States uses inspection activities to be charged under Overtime. However, the USVI MCSAP program pay stipends (an allowable cost) to the Inspectors under the organizational chart. For accountability, stipends are only paid after the verification from the VI Office of Highway Safety Director based on conducting inspections and other motor carrier related enforcement activities, including but not limited to carrier safety talks, presentations to trucking companies, weekly inspections (without setting a quota) and participation in community public education events, etc. Stipends are paid on a bi-weekly basis. If no activity can be verified as being done during a verification cycle stipends are not authorized or paid. The VIOHS recognizes that other states may use inspector's salaries for cost sharing.

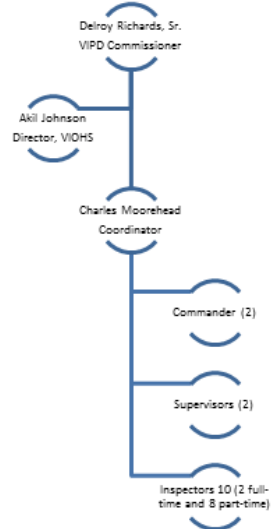
The US Virgin Islands MCSAP program is equipped with laptops and printers, and vehicles that are needed to assist in enhancing the inspector's job. Unfortunately, the Territory does not have size and weight stations in comparison to other states and territories. Therefore, the Territory intends to purchase various equipment deemed eligible, reasonable, and necessary to help supplement the program's inspection process. Equipment redeemed will be dispersed evenly through St. Croix, St. Thomas and St. John.

The USVI MCSAP program will coordinate with the National Highway Traffic Safety Administration (NHTSA) to make signs, radio, and television spots with safety messages to remind all vehicular traffic that safety is our primary concern. Although the MCSAP Program will coordinate with NHTSA to promote "all vehicle safety," the MCSAP

program will use funds solely for the activities of the Public Information and Education Plan geared towards commercial vehicles. As such, there will be no funds jointly spent with NHTSA to conduct these activities.

Safety procedures are constantly being placed in businesses in the Territory. This office intends to provide all of the training required for inspectors, and to continue offering specialized training to inspectors on an ongoing basis.

The USVI VIOHS has the following organizational structure:



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:	US VIRGIN ISLANDS POLICE DEPARTMENT OFFICE OF HIGHWAY SAFETY
Enter total number of personnel participating in MCSAP activities	13
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	13
Traffic Enforcement Activities	13
Investigations*	0
Public Education and Awareness	13
Data Collection and Reporting	6
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Non-funded Agency Information	
Total number of agencies:	1
Total # of MCSAP Participating Personnel:	13

Part 2 - Crash Reduction and National Program Elements

1 - Overview

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

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

Note: *For CVSP planning purposes, the State can access detailed counts of its core MCSAP performance measures. Such measures include roadside inspections, traffic enforcement activity, investigation/review activity, and data quality by quarter for the current and past two fiscal years using the State Quarterly Report and CVSP Data Dashboard, and/or the CVSP Toolkit on the A&I Online website. The Data Dashboard is also a resource designed to assist the State with preparing their MCSAP-related quarterly reports and is located at: <http://ai.fmcsa.dot.gov/StatePrograms/Home.aspx>. A user id and password are required to access this system.*

In addition, States can utilize other data sources available on the A&I Online website as well as internal State data sources. It is important to reference the data source used in developing problem statements, baselines and performance goals/ objectives.

2 - CMV Crash Reduction

The primary mission of the Federal Motor Carrier Safety Administration (FMCSA) is to reduce crashes, injuries and fatalities involving large trucks and buses. MCSAP partners also share the goal of reducing commercial motor vehicle (CMV) related crashes.

Trend Analysis for 2012 - 2016

Instructions for all tables in this section:

Complete the tables below to document the State's past performance trend analysis over the past five measurement periods. All columns in the table must be completed.

- Insert the beginning and ending dates of the five most recent State measurement periods used in the Measurement Period column. The measurement period can be calendar year, Federal fiscal year, State fiscal year, or any consistent 12-month period for available data.
- In the Fatalities column, enter the total number of fatalities resulting from crashes involving CMVs in the State during each measurement period.
- The Goal and Outcome columns allow the State to show its CVSP goal and the actual outcome for each measurement period. The goal and outcome must be expressed in the same format and measurement type (e.g., number, percentage, etc.).
 - In the Goal column, enter the goal from the corresponding CVSP for the measurement period.
 - In the Outcome column, enter the actual outcome for the measurement period based upon the goal that was set.
- Include the data source and capture date in the narrative box provided below the tables.
- If challenges were experienced while working toward the goals, provide a brief narrative including details of how the State adjusted the program and if the modifications were successful.

ALL CMV CRASHES

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g. large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, or other). Other can include injury only or property damage crashes.

Goal measurement as defined by your State: Actual # Fatal Crashes

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

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2016	12/31/2016	0	0	0
01/01/2015	12/31/2015	0	0	0
01/01/2014	12/31/2014	1	0	1
01/01/2013	12/31/2013	0	0	0
01/01/2012	12/31/2012	0	0	0

MOTORCOACH/PASSENGER CARRIER CRASHES

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g. large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, other, or N/A).

Goal measurement as defined by your State: Actual # Fatal Crashes

If you select 'Other' or 'N/A' as the goal measurement, explain the measurement used in the text box provided:

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2016	12/31/2016	0	0	0
01/01/2015	12/31/2015	0	0	0
01/01/2014	12/31/2014	0	0	0
01/01/2013	12/31/2013	0	0	0
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	0	0	0
01/01/2015	12/31/2015	0	0	0
01/01/2014	12/31/2014	0	0	0
01/01/2013	12/31/2013	0	0	0
01/01/2012	12/31/2012	0	0	0

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

The US Virgin Islands Traffic Statistic Report 2012-2016 is compiled from the VI Police Department's Report Beam system as of July 11, 2017.

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

The US Virgin Islands currently has a relative low number of fatalities that are recorded within a year. Fortunately, none involves commercial vehicles. During the past five (5) years, the USVI experienced one (1) Traffic Fatality that involved commercial vehicles. Fortunately this did not involve hazardous materials or caused any spills or HM release. Through the newly established partnership between the US Virgin Islands and the District of Columbia, and continued partnership with the Puerto Rico Division, HM compliance will be monitored through HAZMAT efforts that will guarantee fatalities to remain at zero (0).

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

The State must include a reasonable crash reduction goal for their State that supports FMCSA's mission to reduce the national number of crashes, injuries and fatalities involving commercial motor vehicles. The State has flexibility in setting its goal and it can be based on raw numbers (e.g., total number of fatalities or CMV crashes), based on a rate (e.g., fatalities per 100 million VMT), etc.

Problem Statement Narrative: Describe the identified problem, include baseline data and identify the measurement method.

The Territory did meet its goal of maintaining zero (0) commercial vehicle fatalities. The USVI MCSAP program will continue to conduct enforcement activities and education. Additionally, data is being collected to look at all contributing factors to include, time of day, location of crashes that may lead to fatalities for commercial and non-commercial vehicles. The chart below is reflective of the following: total amount of crashes territorially annually; total amount of commercial vehicle crashes annually; and percentage of crashes that involves commercial motor vehicles.

Year	Total Crashes	Commercial Vehicle Crashes	Commercial Motor Vehicle Percentage
2012	5,298	216	4.1%
2013	4,875	192	3.9%
2014	4,825	202	4.2%
2015	5,009	165	3.3%
2016	5,010	156	3.1%

The USVI MCSAP crash reduction goal is determined by compiling the amount of commercial vehicle crashes by year to determine the five-year baseline average. The baseline average of the total commercial vehicles is **186**. Hence, it has been determined to establish the following crash reduction goal. The USVI will seek a nine percent (9%) total reduction of Commercial Vehicle crashes from the five-year baseline average of **186 to 180** by September 30, 2018; **180 to 175** by September 30, 2019; and **175 to 170** by September 30, 2020.

Year	Goal	Percentage Reduction (Rounded to Nearest Whole Number)
2018	180	3%
2019	175	3%
2020	170	3%

Enter the data source and capture date:

Report Beam

Projected Goal for FY 2018 - 2020:

In the table below, state the crash reduction goal for each of the three fiscal years. The method of

measurement should be consistent from year to year. For example, if the overall crash reduction goal for the three year period is 12 percent, then each annual goal could be 4 percent.

Fiscal Year	Annual Crash Reduction Goals
2018	3
2019	3
2020	3

As explained above the reduction goal for the next three (3) years would be a combined overall crash reduction goal for the three year period is nine percent (9%).

Program Activities for FY 2018 - 2020: States must indicate the activities, and the amount of effort (staff hours, inspections, traffic enforcement stops, etc.) that will be resourced directly for the program activities purpose.

The USVI MCSAP inspection program consists of one (1) Commander, one (1) Supervisor and two (2) full-time Inspectors. The MCSAP Commander arranges the overall coordination and oversight of enforcement and compliance activities and carrier safety talks requirements of the program, while the Supervisor is the one that schedules the days and types of inspections to be conducted. Inspectors are employed with the VI Police Department under a specialized unit created by the Commissioner of the VI Police Department. Inspectors are dispersed in two (2) Districts of the Territory; St. Thomas/St. John District has a Commander (who is an inspector); one (1) full time inspector; in the St. Croix District has one (1) Supervisor (who is an inspector) and one (1) full-time inspector respectively. The Territory conducts inspections using both paper and electronic methods. As previously mentioned, during year two (2) of using the FY 2017 funds, the USVI MCSAP will collaborate with the National Training Center (NTC) to bring the training to the USVI to train and certify new inspectors. The outcome would be to increase the number of inspectors to sixteen (16) from the current four (4) in the Territory. The additional twelve (6) or six (6) per District will be assigned on a part-time basis with having scheduled days determined by the Motor Carrier Commander and the Motor Carrier Coordinator.

The USVI MCSAP Program will coordinate with the Traffic Bureaus within the VIPD to accompany them during DUI checkpoints to ensure that commercial vehicle drivers are not driving under the influence of alcohol or other controlled substances. The USVI MCSAP Program will coordinate with the national mobilization initiatives aimed at removing impaired drivers. Enforcement officers from the VIPD's traffic units are trained in the use of Intoximeters. The Motor Carrier inspectors were previously a part of the Traffic Divisions in St. Croix and St. Thomas respectively that required them to be trained with effectively using intoximeters. Criminal interdiction activities, in conjunction with an appropriate CMV inspection, including human trafficking and activities affecting the transportation of controlled substances by any occupant of a CMV, and training on appropriate strategies for carrying out those interdiction activities will also be done. Additional training will be acquired through Commercial Vehicle Safety Association (CVSA); the University of Massachusetts and best practices site visits of other agencies within the FMCSA Regions. Trainings will aid in the revamping of resource and manpower deployment, to augment the dire need for officers/inspectors to receive specific trainings to ensure that they are competent and equipped to perform Motor Carrier related tasks.

With a focus shift and expansion efforts, officers will not only be trained from the Motor Carrier Program, but from the other bureaus of the VIPD eliminating officer's inability to intervene when offenses are encountered through the utilizations of train-the-trainer opportunities. Upon receipt of the Intoximeter Instructor Training Course the MCSAP Commander will provide additional training to other officers in the territory on the proper use of intoximeters. Once training is received the enforcement activities will take place throughout the Territory based on the establishment of the Department's enforcement calendar. To ensure that the detection of impaired driving is done with fidelity and accuracy, activities will be conducted under the supervision of the certified MCSAP Commander for the first two (2) enforcement activities. This process will aid for any corrections or on-site technical assistance to be given ensuring that all steps are followed for accurate detection. Full and unsupervised implementation of this initiative is expected by the end of Fiscal Year 2017, although activities will be conducted throughout the year. The inspectors operate as per Title 20 VI Code 493c. The full implementation of this initiative is expected to commence and continue through Fiscal Years 2018-2020.

The USVI Motor Carrier Program, through the VIPD, will liaise with our Federal law enforcement partners to obtain the most suitable training for roadside inspectors and other VIPD officers, to enable them to detect indicators of controlled substance trafficking. Instances may occur of trainings being conducted as refreshers and enhancements. Conversations have started to shed light on the importance of establishing a working relationship to have joint efforts for the carrying out of interdiction activities. The USVI MCSAP program will seek training opportunities, if available, to have them received by the end of the fourth (4th) quarter of Fiscal Years 2018-2020.

The current inspectors are trained on the correct protocol that is in place when controlled substance trafficking is

suspected. As such, they will liaise with local High Intensity Drug Trafficking Agency (HIDTA) units, under the US Customs and Border Patrol (CBP) and provide the opportunity for inspectors under the MCSAP program to attend training and conferences that addresses Drug Evaluation and Classification when they become available. This training will be done through MOU agreements and completed and implemented fully by the end of Fiscal Year 2018, if the opportunity permits. This will lead to the continuation Interdiction activities that affects the transportation of controlled substances by CMV drivers and training on appropriate strategies for carrying out those interdiction activities. This activity will be performed jointly with US Customs and Border Patrol personnel and the VI Police Department K9 and Narcotics Units. These activities will be completed and implemented fully throughout Fiscal Year 2018; and continued through FY 2019 and 2020. To support drug interdiction activities, the USVI MCSAP programs will acquire technology and equipment. This will aid in the support and detection of drug interdiction activities throughout the Territory in which 98% of commerce are imported.

The VIOHS MCSAP program will aim to complete approximately 750 inspections. This will cover 100% of the commercial vehicles that are registered in the Territory according to the VI Bureau of Motor Vehicles. Moreover, the MCSAP program will conduct continued traffic enforcement activities throughout the Territory. Activities will include CMV Traffic Enforcement Activities with Inspections; CMV Traffic Enforcement Activities without Inspections; Comprehensive and high visibility in high risk locations and corridors; and Non-CMV enforcement activities. Without setting a quota, these activities are each intended to have at least 50 stops with the strategy being to stop every third car while conducting these activities. Activities will be conducted and reported on a quarterly basis to report progress and determine program effectiveness.

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.

Monthly, comprehensive reports are required to be submitted to the Motor Carrier Coordinator, by the Motor Carrier Commander. These reports will be inclusive of traffic enforcement activities conducted; inspections completed and other program related activities. On the interim, programmatic reports will be completed by the Motor Carrier Coordinator for review by the VIOHS Director.

3 - Roadside Inspections

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

Note: *In completing this section, do NOT include border enforcement inspections. Border Enforcement activities will be captured in a separate section if applicable.*

Trend Analysis for 2012 - 2016

Inspection Types	2012	2013	2014	2015	2016
Level 1: Full	218	218	218	218	218
Level 2: Walk-Around	82	82	82	82	82
Level 3: Driver-Only	300	300	300	300	300
Level 4: Special Inspections	82	82	82	82	82
Level 5: Vehicle-Only	218	218	218	218	218
Level 6: Radioactive Materials	0	0	0	0	0
Total	900	900	900	900	900

Narrative Overview for FY 2018 - 2020

Overview:

Describe components of the State's general Roadside and Fixed-Facility Inspection Program. Include the day-to-day routine for inspections and explain resource allocation decisions (i.e., number of FTE, where inspectors are working and why).

Enter a narrative of the State's overall inspection program, including a description of how the State will monitor its program to ensure effectiveness and consistency.

The USVI MCSAP inspection program consists of one (1) Commander, one (1) Supervisor and two (2) full-time Inspectors. The MCSAP Commander arranges the overall coordination and oversight of enforcement and compliance activities and carrier safety talks requirements of the program, while the Supervisor is the one that schedules the days and types of inspections to be conducted. Inspectors are employed with the VI Police Department under a specialized unit created by the Commissioner of the VI Police Department. Inspectors are dispersed in two (2) Districts of the Territory; St. Thomas/St. John District has a Commander (who is an inspector); one (1) full time inspector; in the St. Croix District has one (1) Supervisor (who is an inspector) and one (1) full-time inspector respectively. With successful certification of others, the number inspectors will increase to sixteen (16) with twelve being in the program on a part time basis. The Territory conducts inspections using both paper and electronic methods. Therefore, quality is often measured based on verification of accuracy of violations issued. Violations are issued to drivers. Sanctions will be issued to drivers during inspections. The MCSAP Coordinator will follow-up on violations issued within 30 days to ensure compliance and resolution of violations.

The USVI Virgin Islands just as any state and or Territory has a Bureau of Motor Vehicles Division. Under this Bureau all vehicles are inspected with a standard inspection process that checks for the following: operational brake lights, operational windshield wipers, working reverse lights, operational vehicle horn, and operational indicators. This is done with commercial and non-commercial vehicles respectively. All vehicles that pass the general inspection requirements receives a registration sticker that must be renewed on a annual basis. The VIOHS will partner with the VI Bureau of Motor Vehicle to receive the listing of all the Commercial Vehicles registered within the Territory are inspected. The Territory is required to do the general inspection process as described above. However, the inspections that are conducted under the USVI MCSAP program are that of the North American Inspection Standards that the inspectors are certified to conduct. There are no expenses for the VI Bureau of Motor Vehicle inspection program that are associate with the USVI MCSAP program. As stated above the Bureau is only providing a listing to the USVI MCSAP program for the inspector to make sure all Commercial Vehicles are captured by the certified inspectors.

The individual inspection reports (hard copies) were shared with the State Director. The inspection reports are being done and uploaded. However, they are being seen as completed in ASPEN, but are not being viewed in MCMIS. The Acting MIS Director and the Motor Carrier team attended the CVSA Data Management, Quality, and FMCSA Systems Workshop in Orlando, Florida. This aided in the opportunity of allowing the Territory to find out the additional steps needed to ensure that all uploads are seen in MCMIS. In the interim, hard copies of the inspections will continue to be collected to match and verify the amounts that were reported by the inspectors based on verification by the USVI MCSAP Coordinator.

Projected Goals for FY 2018 - 2020

Instructions for Projected Goals:

Complete the following tables in this section indicating the number of inspections that the State anticipates conducting during Fiscal Year 2018 - 2020. For FY 2018 - 2020, there are separate tabs for the Lead Agency, Subrecipient Agencies, and Non-Funded Agencies—enter inspection goals by agency type. Enter the requested information on the first three tabs (as applicable). The Summary table totals are calculated by the eCVSP system.

To modify the names of the Lead or Subrecipient agencies, or the number of Subrecipient or Non-Funded Agencies, visit [Part 1, MCSAP Structure](#).

Note: Per the [MCSAP Comprehensive Policy](#), States are strongly encouraged to conduct at least 25 percent Level 1 inspections and 33 percent Level 3 inspections of the total inspections conducted. If the State opts to do less than these minimums, provide an explanation in space provided on the Summary tab.

MCSAP Lead Agency

Lead Agency is: US VIRGIN ISLANDS POLICE DEPARTMENT OFFICE OF HIGHWAY SAFETY

Enter the total number of certified personnel in the Lead agency: 4

Projected Goals for FY 2018 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	256	32	32	320	41.67%
Level 2: Walk-Around	50	29	0	79	10.29%
Level 3: Driver-Only	170	42	42	254	33.07%
Level 4: Special Inspections	50	16	0	66	8.59%
Level 5: Vehicle-Only	25	8	16	49	6.38%
Level 6: Radioactive Materials	0	0	0	0	0.00%
Sub-Total Lead Agency	551	127	90	768	

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:	1
Enter the total number of non-funded certified officers:	
Enter the total number of inspections projected for FY 2018:	

Summary

Projected Goals for FY 2018 - Roadside Inspections Summary

Projected Goals for FY 2018 Summary for All Agencies					
MCSAP Lead Agency: US VIRGIN ISLANDS POLICE DEPARTMENT OFFICE OF HIGHWAY SAFETY					
# certified personnel: 4					
Subrecipient Agencies:					
# certified personnel: 0					
Number of Non-Funded Agencies: 1					
# certified personnel:					
# projected inspections:					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	256	32	32	320	41.67%
Level 2: Walk-Around	50	29	0	79	10.29%
Level 3: Driver-Only	170	42	42	254	33.07%
Level 4: Special Inspections	50	16	0	66	8.59%
Level 5: Vehicle-Only	25	8	16	49	6.38%
Level 6: Radioactive Materials	0	0	0	0	0.00%
Total ALL Agencies	551	127	90	768	

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.

Projected Goals for FY 2019 Roadside Inspections	Lead Agency	Subrecipients	Non-Funded	Total
Enter total number of projected inspections	900	0	0	900
Enter total number of certified personnel	12	0	0	12
Projected Goals for FY 2020 Roadside Inspections				
Enter total number of projected inspections	1000	0	0	1000
Enter total number of certified personnel	12	0	0	12

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.

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		
06/01/2017	07/31/2017	141	59
04/01/2017	05/31/2017	92	0
02/01/2017	03/31/2017	102	63
12/31/2016	01/31/2017	73	19
10/01/2016	11/30/2016	89	103

☒ **The State does not conduct CMV traffic enforcement stops without an inspection. If this box is checked, the "CMV Traffic Enforcement Stops without an Inspection" table is not required to be completed and won't be displayed.**

☒ **The State does not conduct documented non-CMV traffic enforcement stops and was not reimbursed by the MCSAP grant (or used for State Share or MOE). If this box is checked, the "Non-CMV Traffic Enforcement Stops" table is not required to be completed and won't be displayed.**

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

Data is captured from USVI MCSAP monthly reports submitted, as of July 31, 2017.

Narrative Overview for FY 2018 - 2020

Instructions:

Describe the State's proposed level of effort (number of personnel) to implement a statewide CMV (in conjunction with and without an inspection) and/or non-CMV traffic enforcement program. If the State conducts CMV and/or non-CMV traffic enforcement activities only in support of the overall crash reduction goal, describe how the State allocates traffic

enforcement resources. Please include number of officers, times of day and days of the week, specific corridors or general activity zones, etc. Traffic enforcement activities should include officers who are not assigned to a dedicated commercial vehicle enforcement unit, but who conduct eligible commercial vehicle/driver enforcement activities. If the State conducts non-CMV traffic enforcement activities, the State must conduct these activities in accordance with the [MCSAP Comprehensive Policy](#).

In order to implement a Territory-wide CMV and non-CMV traffic enforcement program the Territory will conduct four (4) planned high-visibility traffic enforcement initiatives with inspection by the end of FY 2018 and continued through FY 2020 including a combined effort with: •Air/brake Inspections •Hazardous Materials Inspections •Load Securement Inspections •DUI Initiatives. These will be done by the four (4) currently certified inspector, and four (4) potentially new inspectors (if feasible). To ensure safety and sufficient coverage, officers from the Traffic Bureau will accompany inspectors in a joint effort to conduct enforcement on non-CMVs. MCSAP Inspectors in the Territory (who will be the lead) on a quarterly basis will be conducting initiatives between the hours of 8:00am – 4:00 pm. The locations of the initiatives would be: St. Croix 1.Container Port Road 2.Melvin Evans Highway 3.Grove Quarry 4.Aggregate Quarry North Shore Road St. Thomas 1.Charlotte Amalie Harbor 2.Sub Base Roads 3.Red Hook Road 4.Rhymer Highway St. John 1.Cruz Bay 2.Coral Bay. The quarterly activities mentioned above will be done as a group activity with the inspectors jointly. These activities are not reflective of the only activity that will be conducted in the Territory, but wanted to have this highlighted as our major initiatives that will be conducted.

Technical assistance has been sought to ensure that the effective upload of traffic enforcement data that are now being conducted on a daily basis to ensure that they are recorded and visible within A&I. Citations for speeding, reckless driving, seatbelts, etc are recorded. The Territory continues to struggle with these technical issues, and have reached out for possible resolution to ensure that the Territory is in full compliance. Proof of citations (through the means of hard copies) that are issued within the Territory are housed in the VI Office of Highway Safety. The Motor Coordinator will work with the Grant Manager to ensure that upload of this information occurs on a quarterly basis. A possible solution would be to scan and email as supporting documentation with the quarterly reports of proof that these activities have occurred.

The USVI MCSAP program through the FMCSA cloud portal would ensure that data collection of enforcement activities is reported on a quarterly basis with the upload of required documentation to the FMCSA Division Office in each PPR for the Division staff to upload the information to A&I. The copies of the citations that are issued within the quarter will be provided as an attachment as part of the reports that will be forwarded for review and approval.

The US Virgin Islands Police Department as part of its daily activities do conduct non-CMV enforcement activities. The activities include but are not limited to saturation patrol, checkpoints and other enforcement activities. Non-CMV enforcements are done for seatbelt, speeding, impaired driving, and distracted driving. As a result of high crash corridors and the Territory not having a designated and safe inspection pit, these activities are done to enforce the importance of sharing the road safely in retrospect to the CMV driving population.

Projected Goals for FY 2018 - 2020

Using the radio buttons in the table below, indicate the traffic enforcement activities the State intends to conduct in FY 2018 - 2020. The projected goals are based on the number of traffic stops, not tickets or warnings issued. These goals are NOT intended to set a quota.

			Enter Projected Goals (Number of Stops only)		
Yes	No	Traffic Enforcement Activities	FY 2018	FY 2019	FY 2020
<input checked="" type="radio"/>	<input type="radio"/>	CMV with Inspection	25	25	25
<input checked="" type="radio"/>	<input type="radio"/>	CMV without Inspection	25	25	25
<input checked="" type="radio"/>	<input type="radio"/>	Non-CMV	150	150	150
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	4	4	4

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
768	0	0	768	0

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

Extensive monitoring of activities that are conducted will be done during the fiscal year. There is a requirement in place for monthly reports to be submitted to evaluate program activities, goals, and objectives. To determine the effectiveness of the tasks completed, the following measures will be evaluated: • Number of inspections conducted and entered into ASPEN and uploaded. • Number and type of violations identified and citations issued or vehicles placed OOS • Number of officers who participate in initiatives and inspections • Number of interventions • Percentage of CMV drivers in compliance as compared to the number of vehicles stopped

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	Not Active	No
PRISM	Not Active	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: VIPD Office of Highway Safety Motor Carrier Assistance Program

Enter the agency name responsible for PRISM in the State, if other than the Lead MCSAP Agency: VIPD Office of Highway Safety Motor Carrier Assistance Program

Narrative Overview for FY 2018 - 2020

Problem Statement Narrative and Projected Goal:

If the State's PRISM compliance is less than full participation, describe activities your State plans to implement to achieve full participation in PRISM.

The USVI has begun discussions with representatives of the PRISM program to begin work with the Territory. This will help the Territory to work towards coming in compliance. The intent is to develop a work plan with steps towards progression of full compliance. The Territory will seek to research best practices that other jurisdictions have put in place to expand efforts and practices that were put in place to ensure that the requirements of PRISM are met.

- The USVI MCSAP Program has had its initial briefing of the PRISM program by the Federal Motor Carrier Safety Administration (FMCSA) staff. This briefing gave the Territory an outline of the PRISM program and its benefits to the Territory's safety initiatives.
- The next step will be for the USVI MCSAP program to identify the responsible parties, development of implementation timelines, cost estimates, etc.
- During FY 2018 the Territory will look at developing a PRISM Implementation Plan that would outline how the Territory will meet the program requirements, time frames for completion, and associated costs.

- During FY 2019 -2020 the USVI MCSAP will work towards finalization of the plan to be submitted to the FMCSA Division Administrator for review and input.
- During FY 2020 the USVI MCSAP program will aim to fully implement PRISM.

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

- Participation in best practice site visits.
- Development of Territory-wide and Programmatic Action Plans.
- Technical Assistance conference calls to monitor progress, provide guidance, insight and expertise on steps the Territory have currently taken to meet its goals.
- Report progress to FMCSA as specified in their terms and conditions of the PRISM agreement.

The above mentioned are steps the VIOHS MCSAP program will put in place to guarantee the implementation of full PRISM compliance by the end of FY 2020. Guidance and assistance will be sort to make sure that the Territory remains on track and can make necessary changes and adjustments to achieve this requirement.

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.

Monthly reports will be submitted to highlight and show activities that are conducted related to PRISM. These updates will be closely monitored looking at timelines that were slated for completion of program activities. If deficiencies are found, written notice will be provided by the VIOHS Director with a corrective action measure to ensure that all tasks are completed.

7 - Public Education and Outreach

A public education and outreach program is designed to provide information on a variety of traffic safety issues related to CMVs and non-CMV's that operate around large trucks and buses.

Trend Analysis for 2012 - 2016

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

Public Education and Outreach Activities	2012	2013	2014	2015	2016
Carrier Safety Talks	2	2	2	2	4
CMV Safety Belt Education and Outreach	2	2	2	2	4
State Trucking Association Meetings	0	0	0	0	0
State-Sponsored Outreach Events	2	2	2	2	4
Local Educational Safety Events	2	2	2	2	4
Teen Safety Events	0	0	0	0	0

Narrative Overview for FY 2018 - 2020

Performance Objective: To increase the safety awareness of the motoring public, motor carriers and drivers through public education and outreach activities such as safety talks, safety demonstrations, etc.

Describe the type of activities the State plans to conduct, including but not limited to passenger transportation, hazardous materials transportation, and share the road safety initiatives. Include the number of personnel that will be participating in this effort.

- Create the Public Information and Education Plan
- Coordinate the activities of the plan according to the state timeline
- Print/ Disseminate Brochures
- Develop PSAs
- Conduct satisfaction surveys
- Attend radio and television talk shows

Projected Goals for FY 2018 - 2020

In the table below, indicate if the State intends to conduct the listed program activities, and the estimated number, based on the descriptions in the narrative above.

			Performance Goals		
Yes	No	Activity Type	FY 2018	FY 2019	FY 2020
<input checked="" type="radio"/>	<input type="radio"/>	Carrier Safety Talks	5	5	5
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	5	5	5
<input type="radio"/>	<input checked="" type="radio"/>	State Trucking Association Meetings	0	0	0
<input checked="" type="radio"/>	<input type="radio"/>	State-Sponsored Outreach Events	5	5	5
<input checked="" type="radio"/>	<input type="radio"/>	Local Educational Safety Events	5	5	5
<input type="radio"/>	<input checked="" type="radio"/>	Teen Safety Events	0	0	0

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.

- Implementation of Public Information and Education Plan
- Determine effectiveness of Public Information and Education Plan based on the number of infractions/violations /crashes
- Number of brochures that are disseminated to CMVs
- Number of times the PSAs are aired compared to projections
- Results of satisfaction survey
- Evidence of calls received and feedback provided.

Part 3 - National Emphasis Areas and State Specific Objectives

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

1 - Enforcement of Federal OOS Orders during Roadside Activities**Instructions:**

FMCSA has established an Out-of-Service (OOS) catch rate of 85 percent for carriers operating while under an OOS order. In this part, States will indicate their catch rate is at least 85 percent by using the check box or completing the problem statement portion below.

Check this box if:

As evidenced by the data provided by FMCSA, the State identifies at least 85 percent of carriers operating under a Federal OOS order during roadside enforcement activities and will not establish a specific reduction goal. However, the State will maintain effective enforcement of Federal OOS orders during roadside inspections and traffic enforcement activities.

2 - Passenger Carrier Enforcement**Instructions:**

FMCSA requests that States conduct enhanced investigations for motor carriers of passengers and other high risk carriers. Additionally, States are asked to allocate resources to participate in the enhanced investigations training being offered by FMCSA. Finally, States are asked to continue partnering with FMCSA in conducting enhanced investigations and inspections at carrier locations.

Check this box if:

☒ As evidenced by the trend analysis data, the State has not identified a significant passenger transportation safety problem. Therefore, the State will not establish a specific passenger transportation goal in the current fiscal year. However, the State will continue to enforce the Federal Motor Carrier Safety Regulations (FMCSRs) pertaining to passenger transportation by CMVs in a manner consistent with the [MCSAP Comprehensive Policy](#) as described either below or in the roadside inspection section.

3 - State Specific Objectives – Past

Instructions:

Describe any State-specific CMV problems that were addressed with FY2017 MCSAP funding. Some examples may include hazardous materials objectives, Electronic Logging Device (ELD) implementation, and crash reduction for a specific segment of industry, etc. Report below on year-to-date progress on each State-specific objective identified in the FY 2017 CVSP.

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

Please enter information to describe the year-to-date progress on any State-specific objective(s) identified in the State's FY 2017 CVSP. Click on "Add New Activity" to enter progress information on each State-specific objective.

Activity #1

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

Create the Public Information and Education Plan • Coordinate the activities of the plan according to the stated timeline • Print/Disseminate Brochures • Develop PSAs • Conduct Satisfaction Surveys

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

• Implementation of Public Information and Education Plan • Determine effectiveness of Public Information and Education Plan based on the number of infractions/violations/crashes • Number of brochures that are disseminated to CMVs • Number of times the PSAs are aired compared to projections • Results of satisfaction survey

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

1A Public Information and Education Plan was not developed during this fiscal year. However, the program conducted several outreach initiatives. There were several Saturdays in which the Office of Highway Safety MCSAP program was on the radio to discuss the importance of pre-trip inspections; wearing safety belts; driving within speed limits and the importance of sharing the road safely. All trucking companies throughout the Territory were visited and information related to the inspection process and procedures; doing pre-check inspections; and the importance of maintaining compliant speed and distance. Distribution of approximately four-hundred (400) "Understanding the North American Standard Inspection Program" brochure provided by the Commercial Vehicle Safety Alliance (CVSA); (325) "Air Brake PushRod Stroke...Why is it so important" and (201) "Wear Your Safety Belt" were disseminated to drivers during the inspection process for each inspection done.

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

Activity #2

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

Create the Public Information and Education Plan • Coordinate the activities of the plan according to the stated timeline • Print/Disseminate Brochures • Develop PSAs • Conduct Satisfaction Surveys

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

• Implementation of Public Information and Education Plan • Determine effectiveness of Public Information and Education Plan based on the number of infractions/violations/crashes • Number of brochures that are disseminated to CMVs • Number of times the PSAs are aired compared to projections • Results of satisfaction survey

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

1A Public Information and Education Plan was not developed during this fiscal year. However, the program conducted several outreach initiatives. There were several Saturdays in which the Office of Highway Safety MCSAP program was on the radio to discuss the importance of pre-trip inspections; wearing safety belts; driving within speed limits and the importance of sharing the road safely. All trucking companies throughout the Territory were visited and information related to the inspection process and procedures; doing pre-check inspections; and the importance of

maintaining compliant speed and distance. Distribution of approximately four-hundred (400) "Understanding the North American Standard Inspection Program" brochure provided by the Commercial Vehicle Safety Alliance (CVSA); (325) "Air Brake PushRod Stroke...Why is it so important" and (201) "Wear Your Safety Belt" were disseminated to drivers during the inspection process for each inspection done.

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

The development of a comprehensive media plan requires the full buy in and participation of stakeholders. This plan was drafted, but was not fully implemented. However, the VIPD has hired a Public Information Officer that has been assigned to help with the full and comprehensive roll-out of this project. This project is expected to be completed during FY 2018 Fiscal Year. The Territory realizes that this goal can only be achieved with the collaboration between the VIOHS and other agencies. The MCSAP Coordinator has joined the newly revamped the Traffic Records Coordinating Committee that holds monthly meetings. Meeting are held with agencies such as the Virgin Islands Police Department (VIPD); Virgin Islands Office of Highway Safety (VIOHS); Superior Court of the Virgin Islands; Office of the Attorney General; Office of the Lieutenant Governor Division of Geographical Information Systems; Virgin Islands Bureau of Motor Vehicles (BMV); Virgin Islands Bureau of Information and Technology (BIT); VI Department of Public Works; and VI Department of Health/Emergency Medical Services. Several lessons have been learned. Partnership between the NHTSA programs that shares some of the common goals, except MCSAP catering mainly to commercial vehicles have occurred. The 2017 Highway Safety Plan discusses joint efforts in achieving more quantifiable goals. On-going monitoring to conduct the re-enforcement of strategies and realizing that progress will occur in increments. This will help to curtail and address the shortfalls and lapses that currently exists to meet all program goals.

Activity #3

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

Create the Public Information and Education Plan • Coordinate the activities of the plan according to the stated timeline • Print/Disseminate Brochures • Develop PSAs • Conduct Satisfaction Surveys

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

- Implementation of Public Information and Education Plan • Determine effectiveness of Public Information and Education Plan based on the number of infractions/violations/crashes • Number of brochures that are disseminated to CMVs • Number of times the PSAs are aired compared to projections • Results of satisfaction survey

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

1A Public Information and Education Plan was not developed during this fiscal year. However, the program conducted several outreach initiatives. There were several Saturdays in which the Office of Highway Safety MCSAP program was on the radio to discuss the importance of pre-trip inspections; wearing safety belts; driving within speed limits and the importance of sharing the road safely. All trucking companies throughout the Territory were visited and information related to the inspection process and procedures; doing pre-check inspections; and the importance of maintaining compliant speed and distance. Distribution of approximately four-hundred (400) "Understanding the North American Standard Inspection Program" brochure provided by the Commercial Vehicle Safety Alliance (CVSA); (325) "Air Brake PushRod Stroke...Why is it so important" and (201) "Wear Your Safety Belt" were disseminated to drivers during the inspection process for each inspection done.

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

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

The State may include additional objectives from the national priorities or emphasis areas identified in the NOFO as applicable. In addition, the State may include any State-specific CMV problems identified in the State that will be addressed with MCSAP funding. Some examples may include hazardous materials objectives, Electronic Logging Device (ELD) implementation, and crash reduction for a specific segment of industry, etc.

Describe any State-specific objective(s) identified for FY 2018 - 2020. Click on "Add New Activity" to enter information on each State-specific objective. This is an optional section and only required if a State has identified a specific State problem planned to be addressed with grant funding.

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		
	Federal Share	Total Estimated Funding
Total	\$350,000.00	\$350,000.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP award amount):	\$52,500.00
MOE Baseline:	\$28,647.21

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):	\$52,500.00

Personnel: Salary and Overtime Project Costs					
Salary Project Costs					
Position(s)	# of Staff	% of Time	Annual Salary	Total Project Costs	Federal Share
MOTOR CARRIER COORDINATOR	1	100.0000	\$49,568.00	\$49,568.00	\$49,568.00
FISCAL OFFICER	1	15.0000	\$49,568.00	\$7,435.20	\$7,435.20
INSPECTORS	4	100.0000	\$7,800.00	\$31,200.00	\$31,200.00
Subtotal: Salary				\$88,203.20	\$88,203.20
Overtime Project Costs					
Subtotal: Overtime				\$0.00	\$0.00
TOTAL: Personnel				\$88,203.20	\$88,203.20
Accounting Method:	Accrual				
Planned MOE: Personnel	\$28,647.21				

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

Motor Carrier Coordinator: The employee reports directly to the Office of Highway Safety Director and is responsible for overseeing the certification of inspectors, the operational plans for enforcement initiatives, implementation of portions of the CVSP, attending Traffic Records Committee meetings and maintaining the equipment inventory of the Federal Motor Carrier program in the Territory, and preparing monthly, quarterly and annual reports for submission to Puerto Rico Division. The employee also prepares the annual CVSP.

Fiscal Officer: The employee reports directly to the Office of Highway Safety Director. The employee serves as the accounting technical support for the Fiscal Section, which handles all aspects of the Federal grant programs within the VI Office of Highway Safety. Duties include independent processing of payments (invoices, grants, direct vouchers and purchase orders), preparation of related spreadsheets, maintenance of records for financial disbursements within the division, maintenance and reconciling of purchasing records, preparation of journal vouchers, and tracking of equipment for grantees and inventory for the division. Additionally, the employee handles the day-to-day maintenance of the financial records, monitoring of revenues and expenditures, and analysis of financial transactions.

Inspectors: Inspectors are paid to the USVI MCSAP Commanders (1), Supervisor (1) and Inspectors (2) for carrying out the day-to-day enforcement aspect of the grant. The Commander is responsible for coordination and oversight of enforcement and compliance activities, while the Supervisor is responsible for scheduling the days and types of inspections and partnership development with external partners and agencies. Stipends are also paid the MCSAP Inspectors/Officers who are employed with the VIPD that conducts the inspections. The VIPD continues to have limited staff, and is also under the mandates of a consent decree. As such, the inspectors who are senior and ranking staff within the VIPD and are part of committees as a requirement of the consent decree. Hence, weekly meetings, and routine travel is required. Therefore, stipends will only be paid based on the verification of motor carrier activities being conducted by the Motor Carrier Coordinator and the VIOHS Director respectively. Incentives should reflect \$10,000.00 for the Commander. \$7,500 for the Supervisor and \$5,200.00 per Inspector.

Please see summary of costs below:

Position Title/ Incumbent	Hourly Wage	No. of Hours per Week	No. of Weeks	Salary
Motor Carrier Coordinator	\$23.83	40	52	\$49,567.00
Fiscal Officer	\$23.83	6	52	\$7,435.00
Inspectors (2)	\$250.00 per pay period	*varies	26	\$13,000.00
Supervisor (1)	\$300.00 per pay period	*varies	26	\$7,800.00
Commander (1)	\$400.00 per pay period	*varies	26	\$10,400.00

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
MOTOR CARRIER COORDINATOR	100.0000	\$20,172.78	\$20,172.78	\$20,172.78
INSPECTORS	100.0000	\$2,386.80	\$2,386.80	\$2,386.80
FISCAL OFFICER	100.0000	\$3,026.00	\$3,026.00	\$3,026.00
TOTAL: Fringe Benefits			\$25,585.58	\$25,585.58
Planned MOE: Fringe Benefits	\$0.00			

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

MOTOR CARRIER COORDINATOR

ITEMS	FORMULA	CALCULATION	TOTAL
FICA	7.65% of salary	$49567 * .0765$	\$3,791.87
RETIREMENT	20.5% of salary	$49567 * .205$	\$10,161.23
WORKMEN'S COMPENSATION	\$320.00 per person	$320 * 1$	\$320.00
HEALTH INSURANCE	\$5,899.68 single/vacant	$5899.68 * 1$	\$5,899.68

TOTAL: \$20,172.78**FISCAL OFFICER**

ITEM	FORMULA	CALCULATION	TOTAL
FICA	7.65% of salary	$7435 * .0765$	\$569
RETIREMENT	20.5% of salary	$7435 * .205$	\$1,524
WORKMEN'S COMPENSATION	\$320.00 per person	$320 * .15$	\$48
HEALTH INSURANCE	\$5,899.68 single/vacant	$5899.68 * .15$	\$885

TOTAL: \$3,026**STIPENDS/INCENTIVE**

ITEM	FORMULA	CALCULATION	TOTAL
FICA	7.65% of salary	$31200 * .0765$	\$2,386.80

TOTAL: \$2,386.80

NOTE: Fringe benefits are calculated based on what is provide to us from the Department of Finance. Fringe benefits include: FICA; Retirement; Workmen's Compensation; and Health Insurance for each full-time employee. In the case of stipends, only FICA is calculated, as reflected above.

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
Monthly Program Monitoring/other FMCSA Divisions	2	26	\$18,070.00	\$18,070.00
CVSA Workshop (April)	4	6	\$10,800.00	\$10,800.00
CVSA Annual Conference & Exhibition (September)	5	6	\$13,500.00	\$13,500.00
MCSAP Planning Meeting	4	4	\$8,800.00	\$8,800.00
USVI MCSAP Joint Enforcement Initiative	4	8	\$14,240.00	\$14,240.00
2018 Best Practices Site Visits	4	4	\$8,800.00	\$8,800.00
CVSA DATA Management, Quality and FMCSA Systems Workshop	4	4	\$8,800.00	\$8,800.00
TOTAL: Travel			\$83,010.00	\$83,010.00
Planned MOE: Travel	\$0.00			

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

Justification for Travel Above: The Territory consists of three islands where inspections and enforcement activities takes place. Those islands are St. Croix, St. Thomas, St. John. The MCSAP Coordinator is a Territorial position in which the Coordinator resides on the island of St. Croix. The only way to get to the other islands, is through air travel. The MCSAP program in the Territory is working on using best practices to improve program effectiveness. One of these ways is through detailed monitoring visits. In the past, the MCSAP program in the Territory has placed vehicles out-of-service, or required areas of improvement for the vehicles that are inspected. As such for the FY 2018 the MCSAP Coordinator will monitor the quality of the inspections conducted. Quality will be measured based on verification of accuracy of violations issued. Violations are issued to drivers. Sanctions will be issued to the drivers during inspections. The MCSAP Coordinator and the VIOHS Director will follow-up on violations issued within 30 days to ensure compliance and resolution of violations through the visitations of each trucking company with violations on St. Croix, St. Thomas, and St. John. In addition, monthly program monitoring will provide project management, on-site technical assistance if necessary, capacity building to get the word out about program initiatives, monitor the type and quantity of citations issued as compared to other officers to ensure program quality and effectiveness during on-site inspection monitoring. Additionally, the US Virgin Islands Police Department and the Commonwealth of Puerto Rico Service Commission will work on a revised and updated Memorandum of Understanding (MOU) that establishes an operation of joint training/education program to raise competency in FMCSA's Commercial Vehicle Safety programs; and assistance in the instruction and use of data and technology resources related to inspection standardization conforming FMCSA's procedures; and to work together to coordinate pertinent public information activities. Best practices are reviewed to identify and communicate any future trends, developments or programs in the MCSAP program areas that may have a positive impact on the general safety of the motorist population through the development of strategic planning. This will take place in the form of a development and improvement retreat.

Monthly Program Monitoring
AIRFARE \$195.00 per person (MCSAP Coordinator & VIOHS Director) X 13 trips x 2 persons Total: \$5,070.00
HOTEL \$175 per night X 26 nights 2 persons Total: \$9,100.00

PER DIEM \$75 per night X 26 nights 2 persons <i>Total: \$3,900.00</i>
Total: \$18,070

CVSA Workshop (April)
AIRFARE \$1,200.00 per person (MCSAP Coordinator/VIOHS Director/ MCSAP Commander/ VIOHS Fiscal Office) X 1 trip x 4 persons <i>Total: \$4,800.00</i>
HOTEL \$175 per night X 6 nightsX 4 persons <i>Total: \$4,200.00</i>
PERDIEM \$75 per night X 6nightsX 4 persons <i>Total: 1,800.00</i>
Total: \$10,800

CVSA Annual Conference & Exhibition
AIRFARE \$1,200.00 per person (MCSAP Coordinator/ VIOHS Director/ MCSAP Commander/ MCSAP Supervisor/ VIOHS Fiscal Officer) X 1 trip x 5 persons <i>Total: \$6,000.00</i>
HOTEL \$175 per night X 6 nights 5 persons <i>Total: \$5,250.00</i>
PER DIEM \$75 per night X 6 nights 5 persons <i>Total: \$2,250.00</i>
Total: \$13,500

MCSAP Planning Meeting
AIRFARE \$1,200.00 per person (MCSAP Coordinator/ VIOHS Director/ MCSAP Commander/ Grants Manager/ VIOHS Fiscal officer) X 1 trip x 5 persons <i>Total: \$4,800.00</i>
HOTEL \$175 per night X 4 nights 5 persons <i>Total: \$2,800.00</i>
PER DIEM \$75 per night X 4 nights 5 persons <i>Total: \$1,200.00</i>
Total: \$8,800.00

2018 Best Practices Site Visits (Locations TBD)
AIRFARE \$195.00 per person (MCSAP Coordinator/ VIOHS Director MCSAP Commander/ MCSAP Supervisor) X 1 trip x 4 persons <i>Total: \$4,800.00</i>
HOTEL \$175 per night X 4 nights 4 persons <i>Total: 2,800.00</i>
PER DIEM \$75 per night X 4 nights 4 persons <i>Total: \$1,200.00</i>
Total: \$8,800.00

Justification for Travel Above: The visits will provide an opportunity for the USVI MCSAP team to visit States and/or Universities that are providing data analysis for other Motor Carrier Programs. While on these visits, visitation with State partners to look at the best practices on critical areas of improvements needed for the territory. This will provide the USVI with the ability to network, and gather valuable interactive learning opportunities. The visits will help the team learn about the successes and challenges of others, share ideas, build relationships, to help the USVI MCSAP program to achieve its mission.

USVI MCSAP Joint Enforcement Initiatives
AIRFARE \$1200.00 per person (MCSAP Coordinator & VIOHS Director) X 8 trip x 4 persons <i>Total: \$6,240.00</i>
HOTEL \$175 per night X 8 nights 4 persons <i>Total: \$5,600.00</i>
PER DIEM \$75 per night X 8 nights 4 persons <i>Total: \$2400.00</i>
Total: \$14,240

Justification for Travel Above: Working together towards a common goal, is a phrase that may be overused, but the adage is put regularly into practice in the VIPD, where inter-island enforcement activities are conducted. The spirit of collaboration is not happenstance but rather a concentrated move to address roadway safety and improve the safety of the motoring public. Therefore, there is a need for inter-island travel to occur to carry out the four (4) identified enforcement activities within the Territory. This will allow for the Commander, Supervisor, and Inspectors to work together as a unified body to ensure that results are gathered to determine the effectiveness of the activities that will be conducted.

CVSA DATA Management Quality and FMCSA System Workshop (AUGUST)
AIRFARE \$1200 per person (MCSAP Coordinator/MCSAP Commander/MCSAP Supervisor/ MIS Director / VIOHS Director) X 1 trip X 4 persons <i>Total: \$4,800.00</i>
HOTEL \$175 per night X 4nightsX 5persons <i>Total: \$2,800.00</i>
PERDIEM \$75 per night X 4nightsX 5 persons\$1,200.00
Total: \$8,800.00

Justification for Travel Above: The 2017 CVSA Data Management, Quality and FMCSA Systems Workshop is a three-day event designed to fulfill the state users' training needs on FMCSA software systems. This three-day workshop is packed with hands-on training and guidance on SAFETYNET, DataQs, Portal and other FMCSA systems.

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
Vehicle	1	\$39,908.26	100	\$39,908.26	\$39,908.26
Server	1	\$50,000.00	100	\$50,000.00	\$50,000.00
TOTAL: Equipment				\$89,908.26	\$89,908.26
Equipment threshold is greater than \$5,000.					
Planned MOE: Equipment	\$0.00				

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

Vehicle: The USVI Motor Safety Assistance Program is a Territorial program. As such, as part of the program requirements, inter-island travel is imminent to conduct monitoring site visits and to attend program meetings. As such, the USVI MCSAP program is requesting for a vehicle to be purchased for use in the St. Thomas/St. John District. When purchased, the vehicle will be secured and use only by the VIOHS Director and Motor Carrier Coordinator. Currently, when inter-island monitoring and meeting visits occur, a vehicle is borrowed from the VIPD Traffic Division to conduct these activities. Keys for the vehicle will be kept by the VIPD Administrator, and the Motor Commander and the MCSAP Coordinator or VIOHS Director to ensure that the vehicle is used only for its intended purpose.

Server: The VI Police Department currently uses one server for all of its program. As such, the VI Police Department does not have a reliable server to use exclusively for the SafetyNet program. The USVI MCSAP with the assistance of the VIPD MIS Director is seeking a server that will be used to upload inspections and checks and balances for errors that may be found in the upload of inspections once completed to ensure download to MCMIS. The VI Government and/or VIPD currently does not have a server replacement policy. However, once any equipment purchased is past its useful life, the agency must contact the USVI Office of Property and Procurement that registers the serial number, purchase order number, tag number and equipment location to tag the equipment as E-Waste. At that point the equipment is discarded with sufficient documentaion kept in program files between agencies for inventory, and monitoring purposes. Once the server is purchaed and indicated previously, it will be used solely for the USVI MCSAP Program. This will be housed in the St. Croix District with accessibility to the Motor Carrier Program.

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
Office and Operating Supplies	1	1	\$14,975.05	\$14,975.05	\$14,975.05
TOTAL: Supplies				\$14,975.05	\$14,975.05
Planned MOE: Supplies	\$0.00				

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

Pens

Wireless Cards

Markers

Portfolios

Paper

Ink

Chairs

Banners

Polo Shirts

Coveralls

Chalk Sticks

Other Inspection related supplies

North American Standards Out-of-Service Criteria

Brake Inspection Tool

CVSA Brochures

CVSA Schematics

Laptops with Docking Station

Uniforms

Justification for Polo Shirts:

Polo shirts are part of Uniforms that staff would wear during Outreach activities, conferences, etc. Banners are being requested because they will be used for advertisement and promotional purposes during educational outreach activities such as Air Brakes Safety Day, Agricultural Fair, Community Fairs/ Workshops, and local Carnival/Festival events in the Territory.

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
TOTAL: Contractual and Subaward				\$0.00	\$0.00
Planned MOE: Contractual and Subaward	\$0.00				

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

The Territory does not have any contractual and/or subaward project costs during this fiscal year.

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 claim reimbursement for Indirect Costs.

Indirect Costs				
Cost Basis	Approved Rate	Eligible Costs	Total Indirect Costs	Federal Share
Other	16.79	\$193,942.30	\$32,562.91	\$32,562.91
TOTAL: Indirect Costs			\$32,562.91	\$32,562.91

Other Costs Project Costs					
Item Name	# of Units/Items	Unit of Measurement	Cost per Unit	Total Project Costs	Federal Share
CVSA Decal	1000	PIECE	\$0.28	\$280.00	\$280.00
CVSA Workshop	4	Cost Per Traveler	\$575.00	\$2,300.00	\$2,300.00
CVSA Annual Conference and Exhibition	5	Cost Per Participant	\$575.00	\$2,875.00	\$2,875.00
CVSA Annual Membership	1	Cost Per Membership	\$5,300.00	\$5,300.00	\$5,300.00
FUEL COST	50	Cost Per Book	\$100.00	\$5,000.00	\$5,000.00
TOTAL: Other Costs				\$15,755.00	\$15,755.00
Planned MOE: Other Costs	\$0.00				

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

ITEM NAME	#OF UNIT	COST PER UNIT	TOTAL COST
CVSA Decal	1000	\$0.28	\$280.00
CVSA Workshop Registration Fee	4	\$575.00	\$2,300.00
CVSA Annual Conference & Exhibition	5	\$575.00	\$2,875.00
CVSA Annual Membership Dues	1	\$5,300.00	\$5,300.00
FUEL COST	50	\$100.00	\$5,000.00

NOTE: Costs are reflective based on estimates of quotations that were received. Most of the registration fees are set from year to year.

Indirect cost rates are negotiated and determined by the Government of the Virgin Islands Office of Management and Budget. This is updated based on when there is an identified need. The indirect cost are calculated against all expenses apart from "stipends" and "equipment." The Indirect Cost Memorandum has not been updated since December 8, 2016. This memorandum is not updated on an annual basis; but is done when the Office of Management and Budget of the US Virgin Islands provides an update. Should an update be made, the USVI MCSAP program will ensure that a copy is provided. The breakdown is as follows:

Departmental: 10.09%

Central: 6.70%

The Indirect Cost Memorandum is attached.

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		
	Federal Share	Total Estimated Funding
Total	\$350,000.00	\$350,000.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP award amount):	\$52,500.00
MOE Baseline:	\$28,647.21

Estimated Expenditures		
Personnel		
	Federal Share	Total Project Costs
MOTOR CARRIER COORDINATOR	\$49,568.00	\$49,568.00
FISCAL OFFICER	\$7,435.20	\$7,435.20
INSPECTORS	\$31,200.00	\$31,200.00
Salary Subtotal	\$88,203.20	\$88,203.20
Overtime subtotal	\$0.00	\$0.00
Personnel total	\$88,203.20	\$88,203.20
Planned MOE	\$28,647.21	

Fringe Benefits		
	Federal Share	Total Project Costs
MOTOR CARRIER COORDINATOR	\$20,172.78	\$20,172.78
INSPECTORS	\$2,386.80	\$2,386.80
FISCAL OFFICER	\$3,026.00	\$3,026.00
Fringe Benefits total	\$25,585.58	\$25,585.58
Planned MOE	\$0.00	

Travel		
	Federal Share	Total Project Costs
Monthly Program Monitoring/other FMCSA Divisions	\$18,070.00	\$18,070.00
CVSA Workshop (April)	\$10,800.00	\$10,800.00
CVSA Annual Conference &Exhibition (September)	\$13,500.00	\$13,500.00
MCSAP Planning Meeting	\$8,800.00	\$8,800.00
USVI MCSAP Joint Enforcement Initiative	\$14,240.00	\$14,240.00
2018 Best Practices Site Visits	\$8,800.00	\$8,800.00
CVSA DATA Management, Quality and FMCSA Systems Workshop	\$8,800.00	\$8,800.00
Travel total	\$83,010.00	\$83,010.00
Planned MOE	\$0.00	

Equipment		
	Federal Share	Total Project Costs
Vehicle	\$39,908.26	\$39,908.26
Server	\$50,000.00	\$50,000.00
Equipment total	\$89,908.26	\$89,908.26
Planned MOE	\$0.00	

Supplies		
	Federal Share	Total Project Costs
Office and Operating Supplies	\$14,975.05	\$14,975.05
Supplies total	\$14,975.05	\$14,975.05
Planned MOE	\$0.00	

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

Other Costs		
	Federal Share	Total Project Costs
CVSA Decal	\$280.00	\$280.00
CVSA Workshop	\$2,300.00	\$2,300.00
CVSA Annual Conference and Exhibition	\$2,875.00	\$2,875.00
CVSA Annual Membership	\$5,300.00	\$5,300.00
FUEL COST	\$5,000.00	\$5,000.00
Other Costs total	\$15,755.00	\$15,755.00
Planned MOE	\$0.00	

Total Costs		
	Federal Share	Total Project Costs
Subtotal for Direct Costs	\$317,437.09	\$317,437.09
Indirect Costs	\$32,562.91	\$32,562.91
Total Costs Budgeted	\$350,000.00	\$350,000.00
Total Planned MOE	\$28,647.21	

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		
	Federal Share	Total Estimated Funding
Total	\$350,000.00	\$350,000.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP award amount):	\$52,500.00
MOE Baseline:	\$28,647.21

Estimated Expenditures			
	Federal Share	Total Project Costs	Planned MOE Costs
Salary Subtotal	\$88,203.20	\$88,203.20	NA
Overtime Subtotal	\$0.00	\$0.00	NA
Personnel Total	\$88,203.20	\$88,203.20	\$28,647.21
Fringe Benefits Total	\$25,585.58	\$25,585.58	\$0.00
Travel Total	\$83,010.00	\$83,010.00	\$0.00
Equipment Total	\$89,908.26	\$89,908.26	\$0.00
Supplies Total	\$14,975.05	\$14,975.05	\$0.00
Contractual and Subaward Total	\$0.00	\$0.00	\$0.00
Other Costs Total	\$15,755.00	\$15,755.00	\$0.00
	Federal Share	Total Project Costs	Planned MOE Costs
Subtotal for Direct Costs	\$317,437.09	\$317,437.09	\$28,647.21
Indirect Costs	\$32,562.91	\$32,562.91	NA
Total Costs Budgeted	\$350,000.00	\$350,000.00	\$28,647.21

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? DELROY RICHARDS
2. What is this person's title? COMMISSIONER - VIPD
3. Who is your Governor's highway safety representative? DELROY RICHARDS, SR.
4. What is this person's title? COMMISSIONER

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

- ☒ Yes
- ☐ No

State Certification declaration:

I, DELROY RICHARDS, COMMISSIONER - VIPD, on behalf of the Territory of VIRGIN ISLANDS, 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 Territory 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? DELROY RICHARDS, SR.
2. What is the title of your certifying State official? COMMISSIONER
3. What are the phone # and email address of your State official? 340-715-5506 (PHONE)
DELROY.RICHARDS@VIPD.VI.GOV

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

☒ Yes

☐ No

I, DELROY RICHARDS, SR., certify that the Territory has conducted the annual review of its laws and regulations for compatibility regarding commercial motor vehicle safety and that the Territory'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 Territory 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

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

☐ Yes ☒ No

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**GOVERNMENT OF
THE UNITED STATES VIRGIN ISLANDS**




OFFICE OF MANAGEMENT AND BUDGET

No. 5041 NORRE GADE
EMANCIPATION GARDEN STATION, 2ND FLOOR
ST. THOMAS, VI 00802
Telephone Number (340) 774-0750
Facsimile Number: (340) 776-0069

MEMORANDUM

TO: Mr. Carlos Robles, Commissioner, Department of Agriculture
Ms. Sharon McCollum, Ph.D., Commissioner, Department of Education
Ms. Michelle S. Davis, Ph.D., Commissioner, Department of Health
Ms. Anita Roberts, Ph.D., Commissioner Designee, Department of Human Services
Mr. Claude Walker, Attorney General, Department of Justice
Ms. Catherine Hendry, Commissioner, Department of Labor
Ms. Dawn Henry, Esquire, Commissioner, Department of Planning and Natural Resources
Mr. Gustav James, P.E., Commissioner, Department of Public Works
Mr. Delroy Richards, Commissioner, Virgin Islands Police Department
Ms. Mona Barnes, Director, VI Territorial Emergency Management Agency

FROM: *for* Mr. Nellon L. Bowry 
Director, Office of Management and Budget

DATE: December 8, 2016

SUBJECT: Indirect Cost Negotiation Agreement – FY 2017

Attached for your information, records, and necessary action is a signed copy of the Indirect Cost Negotiation Agreement for FY 2017. Kindly communicate this information to your Federal grantor agencies.

OMB will forward separate correspondence to each department/agency with notification of the allocation of the total indirect cost rate into its component parts of the departmental indirect cost rate and the central services indirect cost rate.

If you have any questions, please contact Mr. Vincent Thomas, Associate Director, of the Federal Grants Management Unit (FGMU) at (340)774-0750 or your Senior Grants Analyst at the same telephone number.

Thank you for your attention to this matter.

Attachments

State and Local Governments
Indirect Cost Negotiation Agreement

BIN: 66-0431678

Organization:

Government of the U.S. Virgin Islands
c/o Office of Management and Budget
No. 5041 Norre Gade
Emancipation Gardens Station, 2nd Floor
Charlotte Amalie, St. Thomas, VI 00802

Date: December 2, 2016

Report No(s): 17-A-0259

Filing Ref.:

Last Negotiation Agreement
dated August 22, 2016

The indirect cost rates contained herein are for use on grants, contracts, and other agreements with the Federal Government to which 2 CFR Part 200 applies for fiscal years beginning on or after December 26, 2014 subject to the limitations in Section II.A. of this agreement. Applicable OMB Circulars and the regulations at 2 CFR 225 will continue to apply to federal funds awarded prior to December 26, 2014. The rates were negotiated by the U.S. Department of the Interior, Interior Business Center, and the subject organization in accordance with the authority contained in applicable regulations.

Section I: Rates

Type	Effective Period		Rate*	Locations	Applicable To
	From	To			
Fixed Carryforward	10/01/16	09/30/17	21.59%	All	Agriculture
Fixed Carryforward	10/01/16	09/30/17	19.24%	All	Human Services
Fixed Carryforward	10/01/16	09/30/17	36.94%	All	Justice
Fixed Carryforward	10/01/16	09/30/17	15.59%	All	Labor
Fixed Carryforward	10/01/16	09/30/17	24.69%	All	Planning & Natural Resources (PR/DJ)
Fixed Carryforward	10/01/16	09/30/17	16.79%	All	Police
Fixed Carryforward	10/01/16	09/30/17	16.94%	All	Public Works
Fixed Carryforward	10/01/16	09/30/17	23.12%	All	VITEMA
<u>Unrestricted Rates 1/</u>					
Fixed Carryforward	10/01/16	09/30/17	25.14%	All	Education
Fixed Carryforward	10/01/16	09/30/17	26.55%	All	Health

*Base: Modified total direct costs: Total direct costs, less capital expenditures and passthrough funds. Passthrough funds are normally defined as payments to participants, stipends to eligible recipients, or subawards, all of which normally require minimal administrative effort.

1/ Applicable to all programs except Federal programs which require the use of a restricted rate as defined by 34 CFR 75.563 and CFR 76.563.

Treatment of fringe benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs; fringe benefits applicable to indirect salaries and wages are treated as indirect costs.

Section II: General

Page 1 of 3

A. Limitations: Use of the rate(s) contained in this agreement is subject to any applicable statutory limitations. Acceptance of the rate(s) agreed to

herein is predicated upon these conditions: (1) no costs other than those incurred by the subject organization were included in its indirect cost rate proposal, (2) all such costs are the legal obligations of the grantee/contractor, (3) similar types of costs have been accorded consistent treatment, and (4) the same costs that have been treated as indirect costs have not been claimed as direct costs (for example, supplies can be charged directly to a program or activity as long as these costs are not part of the supply costs included in the indirect cost pool for central administration).

B. Audit: All costs (direct and indirect, federal and non-federal) are subject to audit. Adjustments to amounts resulting from audit of the cost allocation plan or indirect cost rate proposal upon which the negotiation of this agreement was based will be compensated for in a subsequent negotiation.

C. Changes: The rate(s) contained in this agreement are based on the organizational structure and the accounting system in effect at the time the proposal was submitted. Changes in organizational structure, or changes in the method of accounting for costs which affect the amount of reimbursement resulting from use of the rate(s) in this agreement, require the prior approval of the responsible negotiation agency. Failure to obtain such approval may result in subsequent audit disallowance.

D. Rate Type:

1. Fixed Carryforward Rate: A fixed carryforward rate is based on an estimate of the costs that will be incurred during the period for which the rate applies. When the actual costs for such periods have been determined, an adjustment will be made to the rate for future periods, if necessary, to compensate for the difference between the costs used to establish the fixed rate and the actual costs.

2. Provisional/Final Rates: Within six (6) months after year end, a final indirect cost rate proposal must be submitted based on actual costs. Billings and charges to contracts and grants must be adjusted if the final rate varies from the provisional rate. If the final rate is greater than the provisional rate and there are no funds available to cover the additional indirect costs, the organization may not recover all indirect costs. Conversely, if the final rate is less than the provisional rate, the organization will be required to pay back the difference to the funding agency.

3. Predetermined Rate: A predetermined rate is an indirect cost rate applicable to a specified current or future period, usually the organization's fiscal year. The rate is based on an estimate of the costs to be incurred during the period. A predetermined rate is not subject to adjustment. (Because of legal constraints, predetermined rates are not permitted for Federal contracts; they may, however, be used for grants or cooperative agreements.)

E. Rate Extension: Only final and predetermined rates may be eligible for consideration of rate extensions. Requests for rate extensions of a current rate will be reviewed on a case-by-case basis. If an extension is granted, the non-Federal entity may not request a rate review until the extension period ends. In the last year of a rate extension period, the non-Federal entity must submit a new rate proposal for the next fiscal period.

F. Agency Notification: Copies of this document may be provided to other federal offices as a means of notifying them of the agreement contained herein.

G. Record Keeping: Organizations must maintain accounting records that demonstrate that each type of cost has been treated consistently either as a direct cost or an indirect cost. Records pertaining to the costs of program administration, such as salaries, travel, and related costs, should be kept on an annual basis.

H. Reimbursement Ceilings: Grantee/contractor program agreements providing for ceilings on indirect cost rates or reimbursement amounts are subject to the ceilings stipulated in the contract or grant agreements. If the ceiling rate is higher than the negotiated rates in Section I of this agreement, the negotiated rates will be used to determine the maximum allowable indirect cost.

I. Use of Other Rates: If any federal programs are reimbursing indirect costs to this grantee/contractor by a measure other than the approved rate(s) in this agreement, the grantee/contractor should credit such costs to the affected programs, and the approved rate(s) should be used to identify the maximum amount of indirect cost allocable to these programs.

J. Central Service Costs: If the proposed central service cost allocation plan for the same period has not been approved by that time, the indirect cost proposal may be prepared including an amount for central services that is based on the latest federally-approved central service cost allocation plan. The difference between these central service amounts and the amounts ultimately approved will be compensated for by an adjustment in a subsequent period.

K. Other:

1. The purpose of an indirect cost rate is to facilitate the allocation and billing of indirect costs. Approval of the indirect cost rate does not mean that an organization can recover more than the actual costs of a particular program or activity.

2. Programs received or initiated by the organization subsequent to the negotiation of this agreement are subject to the approved indirect cost rate(s) if the programs receive administrative support from the indirect cost pool. It should be noted that this could result in an adjustment to a future rate.

3. Indirect cost proposals must be developed (and, when required, submitted) within six (6) months after the close of the governmental unit's fiscal year, unless an exception is approved by the cognizant agency for indirect costs.

Section III: Acceptance


Listed below are the signatures of acceptance for this agreement:

By the State & Local Government:

By the Cognizant Federal Government
Agency:

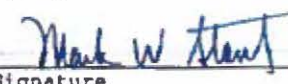
Government of the U.S. Virgin Islands
State/Local Government

U.S. Department of the Interior
Agency

 /s/
Signature
Nellon L. Bowry
Name (Type or Print)

Director
Title

November 30, 2016
Date

 /s/
Signature
Deborah A. Moberly
Name
Office Chief
Title
Office of Indirect Cost Services
Title
U.S. Department of the Interior
Interior Business Center
Agency
DEC 02 2016
Date

Negotiated by Stacy Frost
Telephone (916) 930-3815

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

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

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

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

Statement for Loan Guarantees and Loan Insurance

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

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

* APPLICANT'S ORGANIZATION

VIRGIN ISLANDS POLICE DEPARTMENT-OFFICE OF HIGHWAY SAFETY

* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

Prefix: MR. * First Name: DELROY Middle Name:
* Last Name: RICHARDS Suffix: SR.
* Title: COMMISSIONER

* SIGNATURE:



* DATE:

8/11/17

ANNUAL CERTIFICATION OF COMPATIBILITY

In accordance with 49 C.F.R., Parts 350.213, I **DELROY RICHARDS, Sr.**, as the Virgin Islands Police Department Commissioner, do certify the U.S. Virgin Islands Government compatibility with appropriate part of the Federal Motor Carrier Safety Regulations (FMCSA) and the Federal Hazardous Materials Regulation (FHMR) as follows:

INTERSTATE/INTRASTATE MOTOR CARRIERS:

49 CFR, Subtitle B, Parts 107, subpart F and G only, Parts 171, 172, 173, 177, 178, 180, and Parts 390, 391, 392, 393, 395, 396, and 397, as currently Codified in the Title 20, Virgin Islands Code, Chapter 51, subchapter II, sections 900 through 902, as added sections 11, 12, and 13 of Act No, 7307.



Signature



Date

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.


PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

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

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

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

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

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL Delroy Richards, Sr. 	TITLE Commissioner
APPLICANT ORGANIZATION Virgin islands Police Department- Office of Highway Safety	DATE SUBMITTED August 11, 2017

The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

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

Statutory/Regulatory Authorities

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

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

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

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

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

General Assurances

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

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

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

Specific Assurances

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

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

*“The **(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.

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.)

June 13, 2016

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

APPENDIX C

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the ***(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.*).

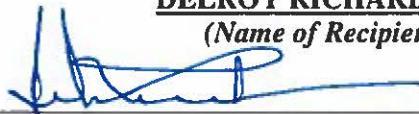
By signing this ASSURANCE, [Name of the recipient] also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FMCSA access to records, accounts, documents, information, facilities, 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.

DELROY RICHARDS, Sr.

(Name of Recipient)

by



(Signature of Authorized Official)

DATED

6/11/17