

KANSAS

**Commercial Vehicle Safety Plan
for the
Federal Motor Carrier Safety Administration's
Motor Carrier Safety Assistance Program
Fiscal Year 2017**

Date of Approval: Jan 11, 2017

Final CVSP

Basic and Incentive Program Overview

The Basic and Incentive Program Overview part allows the State to provide a brief description of the mission or goal statement of the MCSAP Lead Agency, a description of the State's MCSAP Basic/Incentive Program structure, and to indicate how it meets the MCSAP minimum requirements as prescribed in 49 CFR 350.213(b). The MCSAP grant program has been consolidated to include Basic/Incentive, New Entrant, and Border Enforcement. These three separate grant programs are now considered focus areas in the CVSP. Each focus area will be addressed individually within the eCVSP system and will be contained within a consolidated CVSP.

1 - Mission or Goal Statement of Lead State Commercial Motor Vehicle Safety Agency

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 a discussion of any safety activities conducted under any other FMCSA focus areas such as New Entrant and Border Enforcement or the High Priority grant program. There are separate sections within eCVSP where information on the New Entrant and Border Enforcement focus areas will be entered. High Priority grant opportunities will be applied for outside the eCVSP system.

Consistent with the Kansas Highway Patrol Mission and Goals, Troop I will strive to attain the following:

- Continue our commitment to enforce violations of traffic laws, which contribute to commercial vehicle accidents. This will be accomplished by continuously monitoring reports of State and Federal highway collisions, in an attempt to identify high crash areas and direct enforcement actions accordingly. Kansas MCSAP inspectors will vigorously enforce driver violations, striving to enforce traffic violations and detecting impaired drivers operating CMVs. Additionally, all Troop I personnel will actively promote seat belt usage through a combination of enforcement and education efforts.
- Promote positive public awareness of the Mission of the Kansas Highway Patrol and the MCSAP program, through the Troop I Public Resource Officers. Education will be presented through media; safety programs and public appearances to include industry, public, and other enforcement agencies.
- Increase protection of the citizens of Kansas through an enhanced homeland security presence. This will be accomplished with the distribution of additional equipment for advanced interdiction efforts and participation in coordinated enforcement efforts.
- Continue to strive for improvement and maintenance of high quality roadside inspections. This will be accomplished through annual training in new CVSA regulations and changes, HM recertification, and monitoring of roadside inspections by the Troop I SafetyNet department.

2 - Basic and Incentive Program Structure

Instructions:

Briefly describe the State's commercial motor vehicle (CMV) enforcement program funded with Basic/Incentive funding and/or used to substantiate the Lead Agency's Maintenance of Effort (MOE). Include a description of the program structure (state and local agency participation, including responsibilities, a general overview of the number of FTE supporting the program and in what areas they contribute, etc.).

NOTE: Please do not include activities/FTE primarily assigned to and funded under another focus area such as New Entrant and/or Border Enforcement or another FMCSA grant program such as High Priority. There are separate sections within eCVSP where information on the New Entrant and Border Enforcement (if applicable) focus areas will be entered. High Priority grant opportunities will be applied for outside the eCVSP system.

The Kansas Highway Patrol (KHP) is designated as the lead agency for commercial vehicle enforcement by the Governor of Kansas. The Patrol administers all CMV enforcement programs, inspections, accidents, and uploads the information to Safer.

Kansas is currently in its 32nd year of implementing its Motor Carrier Safety Assistance Program. The Patrol's MCSAP division is very diverse, encompassing a supervisory roll over 255 Troopers, Law Enforcement Officers, and Motor Carrier Inspectors who are certified to inspect CMVs at a NAS Level II or III.

MCSAP directly encompasses 1 Captain, 10 Lieutenants, 1 Sergeant, 21 full time Technical Troopers dedicated to inspections, 1 MCI dedicated to inspections, 4 Breath Alcohol Troopers, 7 accident reconstructionists, 2 compliance review personnel one full time one part time, and 6 administrative positions to provide the support for all activities. MCSAP also contains one accounting specialist as a support position as well as 4 part time IT specialists. In all, the MCSAP grant funds a portion of 58 of the 56 positions listed above.

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

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

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

The KCC will assess civil penalties to all motor carriers for the applicable OOS violations of the FMCSRs discovered during roadside inspection as determined by the CVSA North American Standard Out-Of-Service criteria. This program emphasizes the increased role, understanding, and responsibility of motor carriers and holds them accountable and liable for areas under their purview.

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

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

The Kansas Highway Patrol utilizes a Performance Based Brake Tester (PBBT). This equipment was purchased in CY2010. Training on the equipment was held in Kansas in early CY2011. The CMVs are screened for braking efficiency. Kansas will continue to utilize the PBBT and has incorporated a section in our CVSP outlining our PBBT plans.

The Patrol has trained numerous agencies over the past 32 years. The Patrol partners through memorandum of understandings (MOUs) with 24 other local enforcement agencies. Through the MOUs the Patrol has added 49 additional enforcement personnel throughout the state who participate in CMV inspections and enforcement. If these inspectors receive their inspector training at the Patrol's training facility, the training, overnight stay, and

training materials are covered by MCSAP funding. All other operating expenses for our MOU partners are paid by the MOU agency. Through FMCSA's MCSAP Programs, the Patrol currently employs or partners through MOUs with local agencies, 364 NAS certified inspectors.

Kansas continues to enhance awareness of hazardous materials transportation and violations through annual training. We conduct annual General Hazardous Materials (GHM) recertification and refresher training, as well as a GHM class every summer. There are currently 91 Troopers and local inspectors fully trained in the hazardous materials regulations, with 77 of those also certified to conduct Cargo Tank/Other Bulk Packaging inspections. Two MCSAP Troopers are certified by the NTC as both hazardous materials instructors and RAM instructors. We currently send at least two MCSAP Troopers to the annual COHMED conference and we are active in the Uniform Forms and Procedures Working Group. Kansas MCSAP inspectors are directed to perform a minimum of 10% of their total inspections on hazardous materials carriers.

3 - Basic and Incentive Minimum Requirements - Driver Activities

Instructions:

Use the radio buttons in the table below to indicate the activities that the State will execute to meet the requirements of 49 CFR §350.213(b) in this Fiscal Year's CVSP. All statements must be answered using the radio buttons or the CVSP will be considered incomplete.

1. If a State marks any responses as "None, Not Planned", it must explain how it satisfies the minimum requirements in the narrative section below.
2. If the State marks any boxes as "Planned", it should provide further information in the narrative section below indicating the purpose of the proposed policy and when the State expects to fully implement it.
3. If the State marks all responses as "Existing", no further explanation is required.

| Existing | Planned | None, Not Planned | Promote activities in support of the national program elements including the following: |
|----------------------------------|-----------------------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | Activities aimed at removing impaired CMV drivers from the highways through adequate enforcement of restrictions on the use of alcohol and controlled substances and by ensuring ready roadside access to alcohol detection and measuring equipment. |
| <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | Provide basic training for roadside officers and inspectors to detect drivers impaired by alcohol or controlled substance. |
| <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | Breath testers are readily accessible to roadside officers and inspectors either at roadside or a fixed facility location. |
| <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | 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. |
| <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | Provide training for roadside officers and inspectors to detect indicators of controlled substance trafficking. |
| <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | Ensure drug interdiction officers are available as a resource if an officer/inspector suspects controlled substance trafficking. |
| <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | Engage in drug interdiction activities in conjunction with inspections including interdiction activities that affect the transportation of controlled substances. |

Enter explanation of activities:

The Kansas Highway Patrol aggressively enforces its alcohol program and focusing on automobile drivers as well as commercial drivers at all times. This enforcement protocol is designed to address one of the key issues of traffic violations occurring by and around commercial vehicles.

MCSAP inspectors have preliminary breath testing (PBT) equipment to assist in the detection of alcoholic beverages and impaired drivers. All of our officers have training in the standardized field sobriety testing procedures (SFST). They are required to re-certify in this training every two years. We have raised our level of driver impairment awareness. All MCSAP inspection personnel have attended the eight-hour instruction for "Drugs that Impair Driving". This training is designed to be used in conjunction with the SFST training and PBT equipment to detect drivers that are impaired by a drug or combination of drugs and alcohol. For CY2015 there were 48 violations for CMV drivers being in possession of or under the influence of drugs. Additionally, there were 35 violations for CMV drivers being in possession of or under the influence of alcohol.

As an effort to enhance our abilities to remove all impaired drivers from the road, during FFY 2017 all Kansas MCSAP personnel will attend Advanced Roadside Impaired Driving Enforcement (ARIDE) training. This training will be completed during our CVSA in-service by our Breath Alcohol Unit (BAU). Additionally, we will provide ARIDE training to inspectors from an additional 24 agencies within the State of Kansas during the FFY 2017 CVSA recertification cycle.

The Kansas Highway Patrol has been actively involved in the prevention of human trafficking. All of our officers have received training on human trafficking at their annual in-service training. The Kansas Highway Patrol is committed to the reduction of human trafficking on Kansas Highways and will continue to train our officers in regards to this topic.

4 - Basic & Incentive Minimum Requirements - Federal Registration & Financial Responsibility Activities

Instructions:

Use the radio buttons in the table below to indicate the activities that the State will execute to meet the requirements of 49 CFR §350.213(b) in the upcoming Fiscal Year. All statements must be answered using the radio buttons or the CVSP will be considered incomplete.

1. If a State marks any responses as "None, Not Planned", it must explain how it satisfies the minimum requirements in the narrative section below.
2. If the State marks any boxes as "Planned", it should provide further information in the narrative section below indicating the purpose of the proposed policy and when the State expects to fully implement it.
3. If the State marks all responses as "Existing", no further explanation is required.

| Existing | Planned | None, Not Planned | Federal Registration and Financial Responsibility activities including: |
|----------------------------------|-----------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | Activities to enforce federal registration (such as operating authority) requirements under 49 U.S.C. 13902, 49 CFR Part 365, 49 CFR Part 368, and 49 CFR 392.9a by prohibiting the operation of (i.e., placing out of service) any vehicle discovered to be operating without the required operating authority or beyond the scope of the motor carrier's operating authority. |
| <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | Activities to cooperate in the enforcement of financial responsibility requirements under 49 U.S.C. 13906, 31138, 31139, and 49 CFR Part 387 (if adopted by a State). |

Enter explanation of activities:

The KHP has a written policy, ENF-05, which requires inspectors to check operating authority and place vehicles out of service as applicable. Compliance with KHP policy is verified through SafetyNet spot checks, quarterly supervision reviews, and the PRISM quarterly report.

Following initial training, inspectors are required to attend 12 hours of CVSA refresher training each year.

The KHP has completed the transition from ASPEN to inSPECT software this FFY, which will eliminate the need for state and local inspectors to produce hand-written inspections, promoting a more efficient and harmonious data collection mechanism from the roadside inspection level. KHP personnel are currently utilizing Digiticket software to issue citations to motorists. Digiticket is a computer based program that enables Officers to fill out citations, via their Mobile Data Units (MDU), at the completion of the enforcement action. The Officer can then electronically forward those citations to the respective District Court jurisdiction for processing, while further advancing paper reduction efforts. Digiticket will ensure timely routing of CMV citations to the courts causing traffic violation conviction data to be more expeditiously disseminated. Kansas Inspectors use inSPECT, ISS, and CVIEW programs to conduct inspections with their MDUs. During these inspections, the driver's license is checked for validity, the motor carrier's USDOT number is checked to ensure that the motor carrier is not operating under any out of service orders (OOSO) and if so, we impound if conditions warrant.

Basic and Incentive Program Effectiveness Summary - Past Performance

The Program Effectiveness Summary - Past Performance part provides a 5 year trend analysis based upon national performance objectives found in 49 CFR Part 350. For each section, insert information in the tables to describe goals and objectives from previous CVSPs along with actual outcomes.

1 - State Fatality Reduction Trend Analysis: 2011 - 2015

Instructions:

Complete the table below to document the State's safety performance goals and outcomes over the past five measurement periods. Include the beginning and ending date of the state's measurement period, the goals, and the outcome. Please indicate the specific goal measurement used including source and capture date, e.g., large truck fatal crashes per 100 million vehicle miles traveled (VMT). All columns must be completed.

- 1. Insert the beginning and end dates of the measurement period used, (e.g., calendar year, Federal fiscal year, State fiscal year or any consistent 12 month period for which data is available).*
- 2. FMCSA views the total number of fatalities as a key national measurement. Insert the total number of fatalities during the measurement period.*
- 3. Insert a description of the state goal as expressed in the CVSP (e.g., rate: large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, or other). If you select 'Other' as the goal measurement, explain the measure used in the narrative box below.*
- 4. Insert the actual outcome as it relates to the goal as expressed by the state. States may continue to express the goal as they have in the past five years and are not required to change to a different measurement type.*
- 5. If challenges were experienced while working toward the goals, please provide a brief narrative including details of how the State adjusted the program and if the modifications were successful.*

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

| State Defined Measurement Period (Include 5 Periods) | | Fatalities | Goal As Expressed In CVSP (State Defined Measurement) | Outcome (As It Relates To The Goal Column) |
|------------------------------------------------------|------------|-----------------|-------------------------------------------------------|--------------------------------------------|
| Begin Date | End Date | Number of Lives | | Indicate Actual Outcome |
| 01/01/2015 | 12/31/2015 | 62 | -0.01 | 0.12 |
| 01/01/2014 | 12/31/2014 | 44 | -0.01 | -0.20 |
| 01/01/2013 | 12/31/2013 | 64 | -0.01 | 0.16 |
| 01/01/2012 | 12/31/2012 | 49 | -0.01 | -0.10 |
| 01/01/2011 | 12/31/2011 | 54 | -0.01 | -0.20 |

Enter the source and capture date of the data listed in the table above:

KDOT FARS/Accident Data -July 2016

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

Kansas began multiyear initiatives to reduce collisions and increase safety belt usage in our StateProgram Objectives in the FY2010 CVSP. Nearly all of the objectives Kansas strived to achieve by CY2014 were met by CY2012. For our FY2013 CVSP, Kansas reevaluated our multiyear objectives and modified our problem statements and strategies in an attempt to further reduce collisions. Kansas does not have a high accident corridor, however, as outlined in our crash reduction state program objective, Kansas will focus enforcement efforts in Shawnee, Wyandotte, Johnson, and Sedgwick counties. These four counties represent our largest percent of concentrated large truck collisions: 36% in CY 2011.

Through the increased enforcement in these counties, focus is placed on causation factors contributing to accidents. Kansas believes an overall accident reduction and ultimately a decrease in fatality accidents will occur.

Kansas' initiatives began in CY2012, data suggests the total number of CMV accidents have remained the same when comparing averages from 2009 - 2011 CY to 2012 - 2014 CY averages. However, the effectiveness of these strategies can be seen when looking at fatality accidents, number of fatalities and number of injuries during the 2012-2014 CY. Kansas averaged 5 less fatality accidents, injured 19 fewer people, and saved an average of 10 lives each year. In 2014, Kansas had its fewest fatal accidents involving CMVs on record and our trend line for fatal crashes has continued to decline for over a decade. As with most trends, there are peaks and valleys, however, even during peak years, the peaks are not as high as previous peak years. Kansas considers this to be another indication of our successes in the reduction of fatality crashes involving CMVs.

Accidents Involving Heavy / Large Trucks

| Year | Accidents | | | | People | |
|--------------|---------------|------------|--------------|---------------|------------|---------------|
| | Total | Fatal | Injury | PDO | Deaths | Injuries |
| 2005 | 3,923 | 69 | 888 | 2,966 | 82 | 1,223 |
| 2006 | 3,469 | 61 | 751 | 2,657 | 69 | 1,030 |
| 2007 | 3,872 | 72 | 864 | 2,936 | 80 | 1,250 |
| 2008 | 3,714 | 52 | 846 | 2,816 | 63 | 1,152 |
| 2009 | 2,877 | 50 | 597 | 2,230 | 59 | 860 |
| 2010 | 3,051 | 67 | 655 | 2,329 | 85 | 940 |
| 2011 | 3,420 | 54 | 722 | 2,644 | 64 | 1,019 |
| 2012 | 2,956 | 49 | 640 | 2,267 | 58 | 908 |
| 2013 | 3,216 | 64 | 674 | 2,478 | 70 | 941 |
| 2014 | 3,308 | 44 | 681 | 2,583 | 49 | 932 |
| 2015 | 3,154 | 62 | 620 | 2,472 | 69 | 864 |
| Total | 36,960 | 644 | 7,938 | 28,378 | 748 | 11,119 |

The challenge for Kansas will always be how to reduce already low number of fatality collisions when combined with the number of rural road miles and two lane roads. The Kansas Legislature provided an additional challenge to Kansas during the 2014 Legislative Session, when they passed a bill which was ultimately signed into law. This law exempted CMVs engaged in intrastate commerce, with a GVWR of 26,000 pounds or less, of all applicable safety regulations with the exception of load securement and annual inspection requirements. This law went into effect on July 1, 2014, and a negative impact on the motoring public was realized, which caused the legislature to make changes to the law in 2015. During the 2015 Kansas Legislative Session, due to numerous crashes involving CMVs with a GVWR of 26,000 pounds or less engaged in intrastate commerce, the legislature brought back in "For Hire" carriers in their entirety, load securement, annual inspection, and coupling device regulations for "Private Carriers". There were no further changes during the 2016 Kansas Legislative Session.

2 - State Motorcoach/Passenger Fatality Reduction Trend Analysis: 2011 - 2015

Instructions:

Complete the table below to document the State's safety performance goals and outcomes over the past five measurement periods. Include the beginning and ending date of the state's measurement period, the goals, and the outcome. Please indicate the specific basis of the goal calculation (including source and capture date), e.g., large truck fatal crashes per 100 million vehicle miles traveled (VMT). All columns must be filled in with data.

1. Insert the beginning and end dates of the measurement period used, (e.g., calendar year, Federal fiscal year, State fiscal year or any consistent 12 month period for which data is available).
2. FMCSA views the total number of fatalities as a key national measurement. Insert the total number of fatalities during the measurement period.
3. Insert a description of the state goal as expressed in the CVSP (e.g., rate: large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, or other). If a State did not establish a goal in their CVSP for a particular measurement period, do not enter a value in the Goal column for that period.
4. Insert the actual outcome as it relates to the goal as expressed by the state. States may continue to express the goal as they have in the past five years and are not required to change to a different measurement type.
5. If you select 'Other' or 'N/A' as the goal measurement, explain the measure used in the narrative box below.

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

| State Defined Measurement Period (Include 5 Periods) | | Fatalities | Goal As Expressed In CVSP (State Defined Measurement) | Outcome (As It Relates To The Goal Column) |
|------------------------------------------------------|------------|-----------------|-------------------------------------------------------|--------------------------------------------|
| Begin Date | End Date | Number of Lives | | Indicate Actual Outcome |
| 01/01/2015 | 12/31/2015 | 0 | 0 | 0 |
| 01/01/2014 | 12/31/2014 | 1 | 0 | 1 |
| 01/01/2013 | 12/31/2013 | 1 | 0 | 1 |
| 01/01/2012 | 12/31/2012 | 2 | 0 | 2 |
| 01/01/2011 | 12/31/2011 | 1 | 0 | 1 |

Enter the source and capture date of the data listed in the table above:

A&I Crash Statistics June 2016

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

Kansas has continued to inspect en route passenger carrying vehicles when a violation of state law or violations of the FMCSRs are observed.

Kansas has endeavored to reduce all accidents; as such we believe injury and fatality collisions will be reduced through our concentrated efforts.

The Patrol's main difficulty in reducing motorcoach/bus crashes is the incredibly low number of fatalities reported. Our goal will continue to be zero motorcoach/bus crashes annually.

Kansas continues to realize, in our overall efforts, a decrease in bus crashes. In CY2010, there were 137 crash events, 106 in CY2011, 111 in CY2012, 108 in CY2013, 95 in CY2014 and 119 in 2015. Over this five year period, there has been a decrease of 18 bus crash events state wide from the CY2010 baseline.

Kansas inspectors will continue to perform CVSA Level III inspections when stopping en route passenger carriers who commit a violation of Kansas law. Kansas' MCSAP program will complete motor coach inspections at destination sites and origin locations (ie. State casinos) as opportunities present themselves. These instances in Kansas are rare as we have attempted these inspections during past years, by taking an entire day(s) with multiple officers waiting for a motorcoach which has deviated from its original times. In order to maintain certification status for PVI inspectors, they often have to coordinate with a bus company to complete motorcoach inspections, this gives the carrier advanced time to complete repairs and only present their best vehicles during the inspection.

3 - State Hazardous Materials Fatality Reduction Trend Analysis: 2011 - 2015

Instructions:

Complete the table below to document the State's safety performance goals and outcomes over the past five measurement periods. Include the beginning and ending date of the state's measurement period, the goals, and the outcome. Please indicate the specific basis of the goal calculation (including source and capture date), e.g., large truck fatal crashes per 100 million vehicle miles traveled (VMT). All columns must be filled in with data.

1. Insert the beginning and end dates of the measurement period used, (e.g., calendar year, Federal fiscal year, State fiscal year or any consistent 12 month period for which data is available).
2. FMCSA views the total number of fatalities as a key national measurement. Insert the total number of fatalities during the measurement period.
3. Insert a description of the state goal as expressed in the CVSP (e.g., rate: large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, or other). If a State did not establish a goal in their CVSP for a particular measurement period, do not enter a value in the Goal column for that period.
4. Insert the actual outcome as it relates to the goal as expressed by the state. States may continue to express the goal as they have in the past five years and are not required to change to a different measurement type.
5. If you select 'Other' or 'N/A' as the goal measurement, explain the measure used in the narrative box below.

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

| State Defined Measurement Period (Include 5 Periods) | | Fatalities | Goal As Expressed In CVSP (State Defined Measurement) | Outcome (As It Relates To The Goal Column) |
|------------------------------------------------------|------------|-----------------|-------------------------------------------------------|--------------------------------------------|
| Begin Date | End Date | Number of Lives | | Indicate Actual Outcome |
| 01/01/2016 | 12/31/2016 | | | |
| 01/01/2015 | 12/31/2015 | 7 | 0.01 | 0.42 |
| 01/01/2014 | 12/31/2014 | 3 | 0.01 | -0.02 |
| 01/01/2013 | 12/31/2013 | 0 | 0.01 | -0.06 |
| 01/01/2009 | 12/31/2012 | 0 | 0.01 | 0.30 |

Enter the source and capture date of the data listed in the table above:

A&I Crash Statistics, July 2016

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

Kansas continues to enhance awareness of hazardous materials transportation and violations through annual training. We conduct annual HM recertification and refresher training as well as a Basic HM class every summer. There are currently 91 Troopers and local inspectors fully trained in the hazardous materials regulations, with 76 of those also certified to conduct Cargo Tank/Other Bulk Package inspections. Two MCSAP Troopers are certified by the NTC as both hazardous materials instructors and RAM instructors. We currently send at least two MCSAP Troopers to the annual COHMED conference and we are active in the Uniform Forms and Procedures Working Group.

Kansas MCSAP inspectors are directed to perform a minimum of 10% of their total inspections on hazardous materials carriers.

During CY 2015, Kansas HM inspectors completed 3,930 HM inspections.

Kansas had 1,778 large truck crashes in CY2015. HM crashes only accounted for 3 % of these crashes. Although Kansas realized 4 additional fatal crashes involving HM during CY 2015 for a total of 7, Kansas does not believe there is a significant problem with HM crashes which warrants any type of problem statement.

The chart above reflects a goal of 1% reduction in cargo tank crashes annually from CY 2009 through CY 2014.

However, there was a 30% increase in these types of crashes during the period of CY 2009 through CY 2012 and a 42% increase in CY2015. During the period of CY 2013 through CY2014, Kansas reduced cargo tank crashes by 2% compared to CY 2012. Kansas strives to reduce cargo tank crashes dramatically with increased inspections and traffic enforcement.

4 - Traffic Enforcement Trend Analysis: 2011 - 2015**Instructions:**

Please refer to the MCSAP Comprehensive Policy for an explanation of FMCSA's traffic enforcement guidance. Complete the table 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 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 of the measured element (traffic enforcement stops with an inspection, non-inspection stops, non-CMV stops).
3. Insert the total number of written warnings and citations during the measurement period. The number of warnings and citations do not need to be split out separately in the last column.

| State Defined Measurement Period (Include 5 Periods) | | Number Of CMV Traffic Enforcement Stops with an Inspection | Number of Citations and Warnings Issued |
|------------------------------------------------------|------------|------------------------------------------------------------|-----------------------------------------|
| Begin Date | End Date | | |
| 01/01/2015 | 12/31/2015 | 3739 | |
| 01/01/2014 | 12/31/2014 | 5123 | |
| 01/01/2013 | 12/31/2013 | 6155 | |
| 01/01/2012 | 12/31/2012 | 6202 | |
| 01/01/2011 | 12/31/2011 | 5895 | |



Check if State does not conduct CMV traffic enforcement stops without an inspection.



Check if State does not conduct Non-CMV traffic enforcement stops.

| State Defined Measurement Period (Include 5 Periods) | | Number Of Non-CMV Traffic Enforcement Stops | Number of Citations and Warnings Issued |
|------------------------------------------------------|------------|---------------------------------------------|-----------------------------------------|
| Begin Date | End Date | | |
| 01/01/2015 | 12/31/2015 | 7909 | 8343 |
| 01/01/2014 | 12/31/2014 | 8650 | 9251 |
| 01/01/2013 | 12/31/2013 | | |
| 01/01/2012 | 12/31/2012 | | |
| 01/01/2011 | 12/31/2011 | | |

Enter the source and capture date of the data listed in the table above:

Kansas does not conduct CMV Traffic Enforcement Stops without Inspection and has no mechanism at this time to determine how many citations and warnings were written for each stop without looking at each inspection individually. Kansas is working on developing a mechanism to track the requested information. Kansas does conduct traffic stops on Non-CMV's which are operating around CMV's. However, Kansas had no mechanism for tracking the number of citations and warnings issued during these stops prior to 2014.

5 - Outreach and Education Goals - Report on progress from the FY 2016 CVSP**Instructions:**

Please enter information to describe your year-to-date Outreach and Education activities from the FY2016 CVSP. Click on "Add New Activity" to enter information.

Activity #1**Activity: Describe Outreach and Education activity conducted:**

Educate motor carriers in the FMCSRs and team with FMCSA and the Kansas Motor Carrier Association to aid in the education of carriers and the general public.

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

CY 2015 goal: 100 programs

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

In CY 2015 the KHP MCSAP personnel completed 164 safety programs

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

The Kansas Highway Patrol does not have any difficulties meeting Outreach and Education goals as the trucking industry often requests for our troopers and inspectors to provide them with educational information, typically in the form of a safety program designed for specific audiences and topics. Additionally, the KHP reaches out to schools and community organizations to provide safety programs such as "Teens and Trucks" for those individuals who are not in the trucking industry.

6 - State Specific Objectives – Report on Progress from the FY2016 CVSP**Instructions:**

Please enter information as necessary to describe year-to-date progress on your State-specific objectives from the FY2016 CVSP. Click on "Add New Activity" to enter information.

Activity #1

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

Kansas did not have a State Specific Objective for FFY 2016.

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

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

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

Basic & Incentive CMV Safety Objectives

The CMV Safety Program Objectives part allows States to define their goals and objectives for this year's plan, address the national priorities contained in the Notice of Funding Availability (NOFA), and to identify any State-specific objectives for any safety or performance problems identified by the State. The State must address problems it believes will help reduce the overall number of CMV crash related fatalities and injuries.

1 - Crash Reduction Goal**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 vehicle transportation. The State has flexibility in setting its goal. It can be based on raw numbers (e.g., total number of fatalities or crashes) or based on a rate (e.g., fatalities per 100 million VMT).

Problem Statement Narrative: Describe the identified problem including baseline data:

Kansas does not have an isolated CMV crash corridor. KS FARS Data, June 2012, analyzed from CY2009 through CY2011 indicates Johnson, Sedgwick, Wyandotte, and Shawnee counties represent 36% of all KS CMV collisions averaging 1,100 per year from CY09-11. CY2012 KS FARS data extrapolation indicates the top five causation factors for collisions involving commercial motor vehicles in these counties are: inattention, improper lane change, following too close, right of way violation, and speed too fast for conditions.

CY2015 KDOT FARS Data reveals that the largest percentage (16.8%) of all accidents in Kansas occurs on Fridays, during the time period of 5:00 p.m. to 5:59 p.m. represents (8.8%) the largest time frame during the twenty-four hour day.

Enter Data Source Capture Date:**Enter Data Source:**

KDOT FARS/Accident Data 2009 through 2012 and KDOT FARS/Accident Data July 2016

Enter Crash Reduction Goal

Kansas expects to reduce the average crashes from CY09-11 by 5% (55 crashes) from CY2013 until 2017, with an annual benchmark reduction of 1% (11 crashes).

Identify each of the national program elements the State will utilize to meet the performance objective. The State will describe these activities in greater detail in the respective narrative sections of the CMV Safety Program Objectives and Commercial Vehicle Enforcement Activities.

Check all program elements that apply (minimum of 1):

- ☒ **Conduct Driver and Vehicle Inspections (complete activity projections in the Commercial Vehicle Enforcement Activities section 1)**
- ☒ **Conduct Traffic Enforcement Activities (complete activity projections in the Commercial Vehicle Enforcement Activities section 2)**
- ☒ **Conduct Carrier Investigations (complete activity projections in the Commercial Vehicle Enforcement Activities section 3)**
- ☒ **Conduct Public Education and Awareness (complete activities in the Commercial Vehicle Enforcement Activities section 4)**
- ☒ **Conduct Effective Data Collection and Reporting (complete activities in the CMV Safety Program Objectives section 2)**

Program Activities: States must include activities related to this goal in the output estimates in the Commercial Vehicle Enforcement Activities part. However, States must also indicate in this objective the amount of effort (staff hours, FTE, inspections, traffic enforcement stops, etc.) that will be resourced directly for this purpose. For example, 3,000 of the 10,000 Level 1 inspections listed in the Commercial Vehicle Enforcement Activities Section 1 will be dedicated to this objective.

Kansas will dedicate 160 hours of directed patrol activities to this crash reduction objective each quarter of FY2017. These hours will be dedicated to the high crash locations within the four focus counties. Violations will be noted on inspection reports with citations issued as appropriate.

Performance Measurements and Monitoring: The State will monitor the effectiveness of its CMV Crash Reduction Goal quarterly and annually by evaluating the performance measures and reporting results in the required SF-PPRs. Describe how the State will conduct ongoing monitoring of progress in addition to quarterly reporting.

Kansas will dedicate 40 hours per quarter in each of the following counties: Johnson, Sedgwick, Wyandotte, and Shawnee. Kansas expects a 1% reduction in the total number of crashes occurring in the combined mentioned counties based on the average number of crashes from CY2009 to CY2011. Kansas will evaluate the inspection activity generated in each county on a quarterly basis. The grant manager will report the total number of inspections per deployment for each county, the total number of CMV crashes, and the total number of inspections completed in the MCSAP annual reports. The reduction of crashes will be evaluated when annual CY data is released.

2 - State Safety Data Quality and Information Systems Objective

Instructions:

In the tables below, indicate your State's rating or compliance level within each of the Safety Data and Information Systems categories.

Under certain conditions, the FAST Act allows MCSAP lead agencies to use MCSAP funds for Operations and Maintenance (O & M) costs associated with Safety Data Systems (SSDQ), Innovative Technology Deployment (ITD, previously known as CVISN) and the Performance and Registration Information Systems Management (PRISM).

1. For SSDQ, if the State meets accuracy, completeness and timeliness measures regarding motor carrier safety data and participates in the national data correction system (DataQs).
2. For PRISM, O&M costs are eligible expenses subject to FMCSA approval.
3. For ITD, if the State agrees to comply with ITD program requirements and has complied with all MCSAP program requirements including achievement of at least Level 6 in PRISM, O & M costs are eligible expenses.

Instructions will be provided within the Spending Plan Narrative section regarding documentation of these costs within the CVSP.

State Safety Data Quality: Indicate your State's SSDQ rating and goal in the table below by utilizing the drop-down menus.

| SSDQ Category | Goal from FY 2016 CVSP | Current SSDQ Rating | Goal for FY 2017 |
|--------------------------------|------------------------|---------------------|------------------|
| Crash Record Completeness | Good | Good | Good |
| Fatal Crash Completeness | Good | Good | Good |
| Crash Timeliness | Good | Good | Good |
| Crash Accuracy | Good | Good | Good |
| Crash Consistency | No Flag | No Flag | No Flag |
| Inspection Record Completeness | Good | Good | Good |
| Inspection VIN Accuracy | Good | Good | Good |
| Inspection Timeliness | Good | Good | Good |
| Inspection Accuracy | Good | Good | Good |

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

A&I July 2016

Compliance table: Please verify the level of compliance for your State in the table below using the drop-down menu. If the State plans to include O&M costs, details must be in this section and in your Spending Plan. If 'no' is indicated in the verification column, please provide an explanation in the narrative box below.

| Technology Program | Current Compliance Level according to FMCSA | Verification by State of Current Compliance Level |
|--------------------|---------------------------------------------|---------------------------------------------------|
| ITD | Core CVISN Compliant | Yes |
| PRISM | step 8 | Yes |
| SSDQ | Good | Yes |

Data Sources:

- [FMCSA website ITD information](#)
- [FMCSA website PRISM information](#)
- [FMCSA website SSDQ information](#)

Problem Statement Narrative: Describe any issues encountered for any SSDQ category not rated as "Good" in the Current SSDQ Rating category column above (i.e. problems encountered, obstacles overcome, lessons learned, etc.). If the State is "Good" in all categories, no further narrative or explanation is necessary. If your State's PRISM compliance is less than step 6, describe activities your State plans to implement to achieve full PRISM compliance.

Kansas has been Green in our overall state rating since July 2011. A three year review of our overall state rating shows we have had an overall Green rating, since March 2010 with the exception of June 2011.

Kansas had a "fair" rating in our crash timeliness category during CY2104 until December 19, 2014, when it was changed to Green.

This was due to a back up of crashes in our cue to process. Once discovered, this issue, was immediately remedied and no more late crashes have been processed by SafetyNet staff. Kansas currently has a "good" rating in all categories.

Program Activities: Describe any actions that will be taken to achieve a "Good" rating in any category not currently rated as "Good" including measureable milestones. Also, describe any actions that will be taken to implement full PRISM compliance.

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.

Kansas' strategy for responding to DataQ/RDR challenges is to have the initial review and response completed by the assigned MCSAP Lieutenant within 10 working days of receipt of the challenge. If the motor carrier chooses to pursue the challenge further, there is a three tier challenge system in place which the challenge decision handled by the initial person is appealed to another Lieutenant. If the second MCSAP Lieutenant's decision is then appealed, then Administrative Lieutenant shall provide a final determination on behalf of the State.

3 - Passenger Carrier Enforcement**Instructions:**

We request that States conduct Enhanced Investigations for motor carriers of passengers and other high risk carriers. We also ask that States plan to allocate resources to participate in the Enhanced Investigations training being offered by FMCSA. Finally, we ask that States continue to partner with FMCSA in conducting Enhanced Investigations and inspections at carrier locations.

Check this box if:

As evidenced by the trend analysis data in Program Effectiveness Summary - Past Performance, State Motorcoach/Passenger Fatality Reduction Goals, the State has not identified a significant passenger transportation safety problem and therefore will not establish a specific passenger transportation goal in the current fiscal year. However, the State will continue to enforce the FMCSRs pertaining to passenger transportation by CMVs in a manner consistent with the MCSAP Comprehensive Policy as described either below or in the Commercial Vehicle Enforcement Activities part. If this box is checked, no additional narrative is necessary.

4 - Enforcement of Federal Out-of-Service Orders during Roadside Activities

Instructions:

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

Check this box if:

As evidenced by the data provided by FMCSA, the State identifies at least 85% of carriers operating under a federal Out-of-Service (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. If this box is checked, no additional narrative is necessary..

5 - Hazardous Materials Transportation Safety

Instructions:

Describe the state's efforts to address hazardous materials transportation safety, if applicable. Select the box below indicating that data does not indicate a hazardous materials problem OR complete the problem statement, performance objective, Activity Plan and Performance Measure.

Check this box if:

As evidenced by the trend analysis data indicated in the Program Effectiveness Summary - Past Performance section 3, State Hazardous Materials Fatality Reduction Goals, the State has not identified a significant hazardous materials safety problem that warrants a specific state objective. As a result, the State will not establish a specific hazardous materials crash reduction goal. However, the State will continue to enforce the FMCSRs pertaining to hazardous materials transportation by CMVs in a manner consistent with its enforcement for all CMVs. If this box is checked, no additional narrative is necessary.

6 - State-Identified Objective (Optional)

Instructions:

Describe any other identified State-specific objectives.

State Objective #1

Enter the title of your State-Identified Objective.

Performance Based Brake Tester

Problem Statement Narrative: Describe problem identified by performance data.

CY 2012 KS FARS data extrapolation indicates two of the top five causation factors for collisions involving commercial motor vehicle were following too close and speed too fast for conditions. Conducting Level I inspections is a vital tool in the mechanical inspection of commercial motor vehicles. The level one inspection does not fully address all braking performance issues which may be present and affect a commercial motor vehicle, ability to stop safely to avoid a collision.

Performance Objective: Enter performance objectives including baseline data and goal.

During CY 2016, Kansas permanently placed our PBBT at the Liberal Scale Facility and all personnel using that facility will be trained in the use of the PBBT and will utilize it as needed.

To meet this goal, the State intends to conduct activities under the following strategies and will describe these activities in greater detail in the respective sections in the CMV Safety Program Objective and Commercial Vehicle Enforcement Activities parts.

Check all program elements that apply (minimum of 1):

- ☒ Conduct Driver and Vehicle Inspections (complete activity projections in the Commercial Vehicle Enforcement Activities section 1)
- ☐ Conduct Traffic Enforcement Activities (complete activity projections in the Commercial Vehicle Enforcement Activities section 2)
- ☐ Conduct Carrier Investigations [CSA] (complete activity projections in the Commercial Vehicle Enforcement Activities section 3)
- ☐ Conduct Public Education and Awareness (complete activities in the Commercial Vehicle Enforcement Activities section 4)
- ☐ Conduct Effective Data Collection and Reporting (complete activities in the CMV Safety Program Objectives section 2)

Program Activities: Describe the activities that will be implemented including level of effort, if not described in Enforcement of Federal Out-of-Service Orders during Roadside Activities (Section 4).

Kansas will conduct PBBT inspections monthly in conjunction with the National/HM Lanes to enforce applicable violations. Kansas will use the PBBT during the day and evening shifts at a fixed facility. After the evaluation on the PBBT and the dynamic road simulator, a CVSA Level I inspection will be completed to validate any observations determined during the PBBT inspection portion.

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

Kansas will report the number of PBBT inspections conducted and total violations discovered to the State Program Manager on the state's quarterly report.

Basic & Incentive Enforcement Activities

The Commercial Vehicle Enforcement Activities part allows the States to provide specific targets for their inspection, traffic enforcement, carrier investigation, and outreach and education goals. The State will use this section to describe the specific national program element activities (per 49 CFR 350.109) that it will use to meet the goals. In completing this section, the State need not repeat the broad program objectives or performance measurements established in the previous goals section of the plan.

*Note: The State can access detailed counts of its core MCSAP performance measures, such as roadside inspections, traffic enforcement activity, review activity, and data quality by quarter for the current and past two fiscal years using the **State Quarterly Report and CVSP Data Dashboard** 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> (user id and password required).*

1 - Driver/Vehicle Inspection Program - Overview and Performance Goals

Instructions for Overview:

Describe components of the State's general Roadside and Fixed-Facility Inspection Program that are not already detailed as part of a specific program goal. 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 narrative description of the State's overall inspection program including a description of how the State will monitor its program to ensure effectiveness and consistency.

In addition to our roadside inspectors, the KHP currently has 8 fixed scale house locations located across the state. The scale houses are cumulatively staffed by approximately 24 NAS certified Motor Carrier Inspectors. The KHP has completed transitioning from ASPEN to insPECT software this FFY, which will alleviate the need for State and Local Inspectors to produce hand-written inspections. This is expected to promote a more efficient and harmonized data collection mechanism from the roadside inspection level. KHP personnel have begun utilizing Digiticket software to issue citations to motorists. Digiticket is a computer based program that enables Officers to fill out citations, via their Mobile Data Units (MDU) at the completion of the enforcement action. The Officer can then electronically forward those citations to the respective District Court jurisdiction for processing, while further advancing paper reduction efforts. Digiticket will ensure timely routing of CMV citations to the courts causing traffic violation conviction data to be more expeditiously disseminated. Kansas Inspectors use insPECT, ISS, and CVIEW programs to conduct inspection with their MDUs. During these inspections, the driver's license is checked for validity, the motor carrier's USDOT number is checked to ensure that they are not operating under any out of service orders (OOSO) and if so, we impound if conditions warrant. KHP policy is set forth in outlining the number of CVSA inspections each KHP certified NAS Inspector is to obtain and maintain both quarterly and yearly. This information is monitored at the first line-supervisor level, as well as by MCSAP Command Staff. Inspections are to be uploaded daily at the completion of the Officer's shift. Annual CVSA refresher training is provided to NAS inspectors and provided by KHP NAS certified instructors. KHP SafetyNet staff monitors, via the FMCSA Portal, its state data quality rating intermittently throughout the quarter as a quality control measure in order to stave off issues as they may arise.

Instructions for Performance Goals:

*Please complete the following tables indicating the number of inspections that the State anticipates conducting during Fiscal year 2017. Please enter inspection goals by agency type (separate tabs are used for the Lead Agency and Funded agencies). **You are required to complete/review information on the first 3 tabs (as applicable). The "Summary" tab is totaled by the eCVSP system.***

Note: States are strongly encouraged to conduct at least 33% Level 3 inspections of the total inspections conducted. If the State chooses to do less than 33% Level 3 inspections, it will be required to provide an explanation in the Summary tab.

Lead Agency

Lead Agency is: KANSAS HIGHWAY PATROL

Enter the total number of certified officers in the Lead agency: 315

| FY 2017 Driver/Vehicle Inspection Goals | | | | | |
|-----------------------------------------|----------------------------|-------------|-----------|--------------|---------------------|
| | Estimated Performance Goal | | | | |
| Inspection Level | Non-Hazmat | Hazmat | Passenger | Total | Percentage by Level |
| Level 1 | 6300 | 1200 | 15 | 7515 | 15.12% |
| Level 2 | 23000 | 2000 | 40 | 25040 | 50.39% |
| Level 3 | 17000 | 70 | 30 | 17100 | 34.41% |
| Level 4 | 30 | 5 | 5 | 40 | 0.08% |
| Level 5 | 0 | 0 | 0 | 0 | 0.00% |
| Level 6 | 0 | 0 | 0 | 0 | 0.00% |
| Sub-Total Lead Agency | 46330 | 3275 | 90 | 49695 | |

Funded Agencies

Complete the following information for each MCSAP Basic funded agency, other than the lead agency in your State. A separate table must be created for each funded agency. Click 'Save' after each table entry.

Enter the name of the Funded Agency:

Enter the total number of certified officers in this funded agency:

| FY 2017 Driver/Vehicle Inspection Goals | | | | | |
|-----------------------------------------|----------------------------|----------|-----------|----------|---------------------|
| Inspection Level | Estimated Performance Goal | | | | Percentage by Level |
| | Non-Hazmat | Hazmat | Passenger | Total | |
| Level 1 | | | | 0 | % |
| Level 2 | | | | 0 | % |
| Level 3 | | | | 0 | % |
| Level 4 | | | | 0 | % |
| Level 5 | | | | 0 | % |
| Level 6 | | | | 0 | % |
| Sub-Total Funded Agencies | 0 | 0 | 0 | 0 | |

Non-Funded Agencies

| | |
|----------------------------------------------------------|----|
| Enter the number of non-funded agencies: | 24 |
| Enter the total number of non-funded certified officers: | 49 |

Summary

| Total FY 2017 Driver/Vehicle Inspection Goals For Lead, Funded and Non-Funded Agencies | | | | | |
|---------------------------------------------------------------------------------------------------|-----------------------------------|-------------|-----------|--------------|---------------------|
| MCSAP Lead Agency: KANSAS HIGHWAY PATROL | | | | | |
| # certified officers: 315 | | | | | |
| Funded Agencies: | | | | | |
| # certified officers: 0 | | | | | |
| Number of Non-Funded Agencies: 24 | | | | | |
| # certified officers: 49 | | | | | |
| | Estimated Performance Goal | | | | |
| Inspection Level | Non-Hazmat | Hazmat | Passenger | Total | Percentage by Level |
| Level 1 | 6300 | 1200 | 15 | 7515 | 15.12% |
| Level 2 | 23000 | 2000 | 40 | 25040 | 50.39% |
| Level 3 | 17000 | 70 | 30 | 17100 | 34.41% |
| Level 4 | 30 | 5 | 5 | 40 | 0.08% |
| Level 5 | 0 | 0 | 0 | 0 | 0.00% |
| Level 6 | 0 | 0 | 0 | 0 | 0.00% |
| Total ALL Agencies | 46330 | 3275 | 90 | 49695 | |

2 - Traffic Enforcement

Instructions:

Describe the State's level of effort (number of personnel/FTE) it proposes to use for implementation of 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 (i.e., 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 conduct commercial vehicle/driver enforcement activities. If the State conducts non-CMV traffic enforcement activities, the State will conduct these activities in accordance with the MCSAP Comprehensive Policy.

Traffic enforcement activities are an effective tool in addressing driver behavior. Accompanying inspections often reveal additional violations and the information gathered as a result of these activities is entered into the carrier's profile in the national database. Traffic enforcement prevents accidents and removes unsafe vehicles and drivers from the road. Kansas is not a probable cause state. The overwhelming majority of our inspections are initiated as a result of random enforcement. This approach is in line with CSA principals and directives and ensures carriers have an opportunity to begin inspections with no violations in Kansas. Kansas believes this to be the most amenable approach to unbiased equality in our enforcement program. Kansas will continue to focus efforts on conducting traffic enforcement inspections during routine patrol activities and all applicable special operations. At least 10% of all Kansas inspections will be traffic enforcement inspections.

KS does not conduct stops on CMVs without an inspection unless it is for weight enforcement only.

KS reports all activity quarterly, as required, and recommended by the PSMB in which KS developed the required reporting criteria. As such we cannot track traffic stops by MCSAP officers on non-CMV's at this time. We do track them during TOPS deployments and report every piece of activity we can and are able to track.

Please indicate using the radio buttons the Traffic Enforcement Activities the State intends to conduct in FY 2017 in the table below.

| Yes | No | Traffic Enforcement Activities | Enter the Goals (Number of Stops, not Tickets or Warnings; these goals are NOT intended to set a quota.) |
|----------------------------------|----------------------------------|---------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="radio"/> | <input type="radio"/> | CMV with Inspection | 5500 |
| <input type="radio"/> | <input checked="" type="radio"/> | CMV without Inspection | |
| <input checked="" type="radio"/> | <input type="radio"/> | Non-CMV | |
| <input checked="" type="radio"/> | <input type="radio"/> | Comprehensive and high visibility in high risk locations and corridors (special enforcement details) | |

Describe components of the State's traffic enforcement efforts that are not already detailed as part of a specific program goal including a description of how the State will monitor its traffic enforcement efforts to ensure effectiveness, consistency, and correlation to FMCSA's national traffic enforcement priority.

Kansas has a very strong Level II and Level III program with an additional 343 inspectors beyond those funded in the MCSAP program. This equates to near saturation of all road enforcement officers having to maintain truck inspection numbers. Requiring officers to complete a minimum number of inspections substantially reduce the potential for a traffic enforcement of a CMV without an inspection. Additionally, the state does not have the mechanism to track this data and does not have any hours or activities to report for projections. Kansas does conduct a minimal amount of non-CMV traffic stops, typically for violations which occur around CMVs and are so egregious the violators must be stopped. Personnel covered under this grant also work overtime which is covered under other Federal and State grants and make non-CMV stops. Kansas does not have a mechanism to separate which stops are made under this grant from other grants. Kansas currently has a High Priority Grant and non-CMV stops are reported through that grant.

3 - Carrier Investigations**Instructions:**

Describe the State's implementation of FMCSA's interventions model to the maximum extent possible for interstate carriers and any remaining or transitioning compliance review program activities for intrastate motor carriers. Include the number of personnel and FTE assigned to this effort.

Performance Objective: Enter performance objective(s) including the number of Interventions/Investigations from the previous year and the goal for FY 2017

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

Program Activities: Describe components of the State's carrier investigation efforts that are not already detailed as part of a specific program goal. Include the number of personnel/FTE participating in this activity.

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

Performance Measurements and Monitoring: Describe all measures the State will use to monitor progress towards the annual goals. Further, describe how the State measures qualitative components of its carrier investigation program (not just outputs).

The full time compliance review officer will be required to average at a minimum, one compliance reviews per month the Technical Trooper will complete 6 compliance reviews per year. While these reviews are a minimum number, we will strive to increase our "carrier touches" during on site focused, and off site reviews. The Kansas Highway Patrol Commander and Administrative Lieutenant are committed to the CSA 2010 process. They actively participate in the FSWG working group bi-monthly conference calls.

Note: The Carrier Investigation Goals table is designed to collect State projections for the number of investigation activities estimated for FY 2017. The State may still conduct traditional motor carrier safety compliance reviews of intrastate motor carriers. Therefore, the CVSP may contain projections for both CSA investigations and compliance reviews of intrastate carriers.

Complete the table below indicating the number of investigations that the State anticipates conducting during this Fiscal Year. Note: if your State does not conduct reviews/investigations, you are not required to complete this table.

☐ **Our State does not conduct reviews/investigations.**

| FY 2017 Carrier Investigation Goals | | |
|--------------------------------------------------------------------|------------------|------------------|
| Review/Investigation Type | Interstate Goals | Intrastate Goals |
| Rated and Non-rated Reviews (Excludes CSA & SCRs) | | |
| Non-HM Cargo | | |
| Passenger | | |
| HM | | |
| Rated and Non-rated Reviews (Excludes CSA & SCRs) Total | 0 | 0 |
| CSA Off-Site Investigations | | |
| Non-HM Cargo CSA Off-Site | 6 | |
| Passenger CSA Off-Site | | |
| HM CSA Off-Site | | |
| CSA Off-Site Investigations Sub-total | 6 | 0 |
| CSA On-Site Focused Investigations | | |
| Non-HM Cargo CSA On-Site Focused | 4 | |
| Passenger CSA On-Site Focused | | |
| HM CSA On-Site Focused | 0 | |
| CSA On-Site Focused Investigations Sub-total | 4 | 0 |
| CSA On-Site Comprehensive | | |
| Non-HM Cargo CSA On-Site Comprehensive | 4 | |
| Passenger CSA On-Site Comprehensive | | |
| HM CSA On-Site Comprehensive | 0 | |
| CSA On-Site Comprehensive Sub-total | 4 | 0 |
| CSA Investigations (all Types) Total | 14 | 0 |
| HM-Related Review Types | | |
| Security Contact Reviews (SCRs) | 1 | |
| Cargo Tank Facility Reviews | 2 | |
| Shipper Reviews | 1 | |
| HM-Related Review Types Total | 4 | 0 |
| ALL REVIEW TYPES GRAND TOTAL | 18 | 0 |

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

4 - Public Education & Awareness

Instructions:

A public education and awareness program is designed to provide information on a variety of traffic safety issues related to CMVs and non-CMV's which operate around large trucks and buses. Describe the type of activities the State plans to conduct, including but not limited to passenger transportation, hazardous materials transportation, and share the road safely initiatives. Include the number of FTE that will be participating in this effort.

Note: the number of specific activities accomplished should be reported in each quarterly performance progress report (SF-PPR).

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.:

Kansas will continue to conduct educational programs. The Kansas Highway Patrol serves as a resource to the industry for CMV related questions and educational materials. This greatly reduces requests as well as the need for the lead MCSAP agency to provide educational programs. Public education and awareness activities are essential in educating the general public about sharing the road safely with CMVs. Our PROs disseminate information to carriers and the public through training classes and information booths at the state fair, farm shows, industrial associations, CDL truck driving schools, and similar events. The Kansas Highway Patrol PROs and MCSAP officers will maintain a level of 100 programs annually.

In the table below, indicate if the State intends to conduct the listed program activities and the estimated number.

| Yes | No | Public Education and Awareness Activities | Goals |
|----------------------------------|-----------------------|-------------------------------------------|-------|
| <input checked="" type="radio"/> | <input type="radio"/> | Carrier Safety Talks | 100 |
| <input checked="" type="radio"/> | <input type="radio"/> | CMV Safety Belt Education and Outreach | 100 |
| <input checked="" type="radio"/> | <input type="radio"/> | State Trucking Association Meetings | 10 |
| <input checked="" type="radio"/> | <input type="radio"/> | State-sponsored outreach events | 1 |
| <input checked="" type="radio"/> | <input type="radio"/> | Local educational safety events | 5 |
| <input checked="" type="radio"/> | <input type="radio"/> | Teen safety events | 5 |

Program Activities: Describe components of the State's public education and awareness efforts that it intends to perform.

Educate motor carriers in the FMCSRs and team with the FMCSA and Kansas Motor Carrier Association to aid in the education of carriers and the general public. The State PROs and MCSAP officers will continue to conduct approximately 100 presentations across the state annually.

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 Performance Progress Report (SF-PPR):

The number of students, programs given, and hours spent are reported to the SPM through the MCSAP quarterly review.

| |
|--------------------|
| New Entrant |
|--------------------|

| |
|-----------------------------------|
| 1 - New Entrant Focus Area |
|-----------------------------------|

Instructions:

The FAST Act consolidated several FMCSA grant programs. Interstate New Entrant safety audits, which were funded previously under a separate FMCSA grant program, are now a component of the MCSAP grant. The FAST Act affirms that conducting New Entrant safety audits is now a requirement to participate in the MCSAP. The Act also says that a State or a third party may conduct safety audits. If a State authorizes a third party to conduct safety audits on its behalf, the State must verify the quality of the work conducted and remains solely responsible for the management and oversight of the New Entrant activities. The Act allows a State to conduct Intrastate New Entrant Safety Audits at the State's discretion. However, States that choose to conduct intrastate safety audits must not negatively impact their interstate new entrant program.

Complete the following areas to describe your plan for this MCSAP focus area.

Goal: *Reducing the number and severity of crashes, injuries, and fatalities involving commercial motor vehicles by reviewing new entrant interstate and, at the State's discretion, intrastate motor carriers to ensure that they have effective safety management programs.*

Objective: Processing and Completing Safety Audits within the Statutory Time Limits

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

Enter New Entrant Agency:

Kansas Highway Patrol

Strategies: Include a description of the strategies that will be utilized in order to meet the program objective above. The applicant must provide any challenges or impediments you foresee that may prevent your successful completion of the objective.

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

Auditors will focus on carriers in their inventory that are in an expedited status, have crashes, haul hazardous materials, and passengers. Focusing on these carriers is critical due to the potential impact that they have in the event of a catastrophic incident.

Carriers eligible for Offsite audits will be assigned according to Auditor workload and inventory. This will prevent carriers from becoming overdue and reduce the number of overdue carriers in our metropolitan area that generate greater numbers of New Entrant Carriers than the rural areas of the state.

Activity Plan: A description of the activities the applicant believes will help achieve the objectives. If group audits are planned, include an estimate of the number of group audits.

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

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

Performance Measurement Plan: A description of how the applicant will measure progress toward meeting the objective, such as quantifiable and measureable outputs (staffing, work hours, carrier contacts, inspections, etc.). The measure must include specific benchmarks that can be reported on in the quarterly progress report, or as annual outputs.

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

Critical Information Table: The following Critical Information Table (although not required) is provided below for your use to summarize the anticipated project activities.

| Summary of Anticipated Activities | | |
|-----------------------------------------------|------------|------------|
| Number of Safety Audits/Non-Audit Resolutions | Interstate | Intrastate |
| # of Safety Audits (Onsite) | 50 | 0 |
| # of Safety Audits (Offsite) | 428 | 0 |
| TOTAL Safety Audits | 478 | 0 |
| # of Non-Audit Resolutions | 144 | 0 |

Spending Plan

B&I Spending Plan

What is a Spending Plan?

The Spending Plan explains the 'what', 'how', and 'why' of a line item cost in carrying out grant project goals and objectives. Use these instructions to develop your application spending plan.

What does a Spending Plan do?

A spending plan is a narrative explanation of each budget component which supports the costs of the proposed work. The spending plan should focus on how each item is required to achieve the proposed project goals and objectives. It should also justify how costs were calculated. The spending plan should be clear, specific, detailed, and mathematically correct.

The spending plan is one of the first places FMCSA reviews to confirm the allowability, allocability, necessity, reasonableness and consistent treatment of an item. A well-developed spending plan is an effective management tool; a plan that doesn't represent a project's needs makes it difficult to recommend for funding and assess financial performance over the life of the project.

The spending plan serves a number of critical functions:

- *Describes your need for or necessity of an expense;*
- *Documents how reasonable the request is, conveys your judgment as well as the feasibility of the project in context of available and proposed resources.*
- *Helps FMCSA review high-risk cost items to decide funding.*

1 - Spending Plan: Personnel

What different types of costs do I need to put in my Spending Plan?

Below is the spending plan. You may add additional lines to the table, as necessary. Remember to include clear, concise explanations in the narrative on how you came up with the costs and how the costs are necessary.

The Federal Share and State Share columns are not automatically calculated based on the Total Eligible Costs. These are freeform fields and should be calculated and entered by State users. You are not required to include 15 percent State share for each line item, including Overtime. You are only required to contribute up to 15 percent of the total costs, which gives you the latitude to select the areas where you wish to place your match.

Unlike in previous years' CVSPs, planned Maintenance of Effort (MOE) expenditures are now to be included in the spending plan narrative for FY 2017. Your planned MOE expenditures will be auto-populated into the Spending Plan from the narrative sections.

Personnel costs are your employee salaries working directly on a project. Include the number and type of personnel, the percentage of time dedicated to the project, number of hours in a work year, hourly wage rate, and total cost. It is not necessary to list all individual personnel separately by line. You may use average or actual salary and wages by personnel category (e.g., Trooper, Civilian Inspector, Admin Support, etc.). You may add as many additional lines as necessary to reflect your personnel costs.

The Hourly Rate column is where the State will enter the hourly pay rate that you have determined for each position.

If Overtime (OT) is going to be charged to the grant, please add the OT amounts that will be charged under the award (not to exceed 15% of the total award amount).

Identify the method of accounting used by the State: ☒ Cash ☐ Accrual

Allowable amount for Overtime (15% of total award amount without justification): \$755,750.00

| Personnel Spending Plan Narrative | | | | | | | | |
|-----------------------------------|------------|-----------|-----------------|-------------|-----------------------|-----------------------|---------------------|--------------------------|
| Salary Information | | | | | | | | |
| Position(s) | # of Staff | % of Time | Work Year Hours | Hourly Rate | Total Eligible Costs | 85% Federal Share | 15% State Share | Planned MOE Expenditures |
| Administrative Staff (Safety Net) | 2 | 100 | 2080 | \$13.61 | \$56,617.60 | \$48,124.96 | \$8,492.64 | \$0.00 |
| Safety Inspectors | 8 | 100 | 999 | \$18.14 | \$144,974.88 | \$123,228.65 | \$21,746.23 | \$0.00 |
| CAPT | 1 | 83 | 2080 | \$46.14 | \$79,656.10 | \$67,707.68 | \$11,938.41 | \$0.00 |
| TECHTRP | 27 | 100 | 2080 | \$29.96 | \$1,682,553.60 | \$1,195,483.94 | \$78,069.16 | \$409,000.50 |
| MCI OFCR | 1 | 100 | 2080 | \$30.46 | \$63,356.80 | \$53,853.28 | \$9,503.52 | \$0.00 |
| LT | 8 | 100 | 2080 | \$38.79 | \$645,465.60 | \$548,645.76 | \$96,819.84 | \$0.00 |
| IT Support | 4 | 25 | 2080 | \$26.20 | \$54,496.00 | \$46,321.60 | \$8,174.40 | \$0.00 |
| Accounting Support | 1 | 100 | 2080 | \$18.26 | \$37,980.80 | \$32,283.68 | \$5,697.12 | \$0.00 |
| Technical Trooper PT NE | 4 | 82 | 2080 | \$32.78 | \$223,638.27 | \$190,092.53 | \$166,454.25 | \$0.00 |
| Sub-Total Salary | | | | | \$2,988,739.65 | \$2,305,742.08 | \$406,895.57 | \$409,000.50 |
| Overtime Information | | | | | | | | |
| Overtime | | 100 | 2080 | | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Sub-Total Overtime | | | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| TOTAL PERSONNEL | | | | | \$2,988,739.65 | \$2,305,742.08 | \$406,895.57 | \$409,000.50 |

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

The total salary and fringe benefits listed on this and the next page will put the KS MCSAP request over our total projected allotment; however, this does not take annual shrinkage into account. The salary and fringe request assumes all positions filled for an entire year. Any expended overage will be counted as MOE.

The MCSAP Captain supervises activities of all MCSAP personnel and projects. He spends 83% of his time implementing this project, supervising staff, and conducting activities to meet the objectives of this project. Activities include: supervising daily operation of projects and staff, grant writing and compliance, providing staff training/technical assistance, coordinating staff work schedule/assignments, ensuring data entry, tracking and following-up on procedures to meet quality assurance, and tracking policy to ensure compliance.

The Technical Troopers and Lieutenants are average hourly wages for each position; as is the administrative staff an average of the two salaries. The 7 field Lieutenants directly supervise MCSAP Technical Troopers as well as the part time civilian employees. They spend 100% of their time implementing this project, supervising staff, and conducting activities to meet the objectives of this project. Activities include: roadside inspections, supervising daily operation of projects and staff, grant writing and compliance, providing staff training/technical assistance, coordinating staff work schedule/assignments, ensuring data entry, tracking and following-up on procedures to meet quality assurance, and tracking policy to ensure compliance.

There are 28 Technical Troopers who conduct roadside inspections to fulfill MCSAP reporting requirements. Activities include: roadside inspections, safety programs, and participating in FMCSA directed activities for grant compliance, instructing NSA classes to include A and B week, HM, Cargo Tank, Hazardous Materials, PBBT and Other Bulk annual recertification for over 364 Kansas inspectors. Seven of the 28 Technical Troopers are members of the Patrol's accident reconstruction team. They complete all of the above activities as well as reconstruct collisions involving CMVs as the severity of the collision dictates. There are an additional four Technical Troopers and one Lieutenant who supervise the statue breath alcohol program, which instructs all officers throughout the state on the detection of drug and alcohol impaired driver's.

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

5 Safety Inspectors conduct roadside inspections.

1 Safety Inspector is 100% dedicated to industry outreach including all MCSAP program safety presentation goals. Activities include:

safety programs such as Teens and Trucks, FAST Act, CDL compliance, and roadside inspections for maintenance of certification.

1 Health and Safety Inspector. He spends 100% of his time on compliance reviews for the MCSAP program. Activities include: compliance reviews, NSA instruction and recertification for KS inspectors, roadside inspections for certification purposes.

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

There are two Administrative staff who administer the Kansas SafetyNet program. They enter all handwritten inspections as well as review all Federally reportable accidents.

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

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

2 - Spending Plan: Fringe Benefits

Fringe costs are benefits paid to your 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, which will be entered as the projected leave expected to be accrued by the personnel listed within Narrative Section 1 – Personnel. Reference 2 CFR 200.431(b) for the proper management of leave expenditures. Include how the fringe benefit amount is calculated (i.e., actual fringe benefits, rate approved by HHS State Wide 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 costs of fringe benefits are allowable if they are provided under established written leave policies; the costs are equitably allocated to all related activities, including Federal awards; and, the 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, Federal Unemployment Tax Assessment, Medicare, State Unemployment Tax, and State Disability Insurance. 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 Narrative Section 1 and the base multiplied by the respective rate would give the total for each standard employer taxes. Workers' Compensation is rated by risk area. It would be permissible to enter this as an average, usually between sworn and unsworn, but any grouping that is reasonable and clearly explained in the narrative is allowable. Health Insurance and Pensions can vary greatly and it too can be averaged and like Workers' Compensation, can sometimes be broken into sworn and unsworn.

| Fringe Benefits Spending Plan Narrative | | | | | | |
|-----------------------------------------|---------------------|----------------|-----------------------|-----------------------|---------------------|--------------------------|
| Position(s) | Fringe Benefit Rate | Base Amount | Total Eligible Costs | 85% Federal Share | 15% State Share | Planned MOE Expenditures |
| Administrative Staff (Safety Net) | 22.88 | \$56,618.00 | \$12,954.20 | \$11,011.07 | \$1,943.13 | \$0.00 |
| Safety Inspectors | 0 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| CAPT | 22.66 | \$79,565.10 | \$18,029.45 | \$15,325.03 | \$2,704.41 | \$0.00 |
| TECHTRP | 22.66 | \$1,682,553.60 | \$381,266.65 | \$324,076.65 | \$57,189.99 | \$0.00 |
| MCI OFCR | 22.66 | \$63,356.80 | \$14,356.65 | \$12,203.15 | \$2,153.49 | \$0.00 |
| LT | 22.66 | \$645,465.60 | \$146,262.50 | \$124,323.12 | \$21,939.37 | \$0.00 |
| IT Support | 22.88 | \$54,496.00 | \$12,468.68 | \$10,598.37 | \$1,870.30 | \$0.00 |
| Accounting Support | 22.88 | \$37,980.80 | \$8,690.01 | \$7,386.50 | \$1,303.50 | \$0.00 |
| Overtime | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Technical Trooper PT NE | 22.88 | \$223,638.27 | \$51,168.44 | \$43,493.17 | \$7,675.26 | \$0.00 |
| Health Insurance | 100 | \$617,886.72 | \$617,886.72 | \$525,203.71 | \$92,683.01 | \$0.00 |
| Sub-Total Fringe Benefits | | | \$1,263,083.30 | \$1,073,620.77 | \$189,462.46 | \$0.00 |

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

The Patrol's fringe benefit rate is approved by the Kansas Department of Administration. Not included in the fringe rate are Health Insurance Costs. The cost for this benefit is \$402.27 for 24 pay periods. The Safety Inspectors do not receive any fringe benefits.

The Patrol does not fund overtime out of the MCSAP grant.

Fringe benefits included for Law Enforcement staff are:

Kansas Police and Fire

FICA/MEDICARE

Workers Comp

Unemployment Comp

Civilians:

KPERS

FICA/Medicare

Workers Comp

Unemployment Comp

3 - Spending Plan: Travel

Travel costs are funds for field work or for travel to professional meetings. Provide the purpose, number of persons traveling, number of days, and estimated cost for each trip. If details of each trip are not known at the time of application submission, provide the basis for determining the amount requested.

| Travel Cost Spending Plan Narrative | | | | | | |
|------------------------------------------------------------------------------|------------|------|----------------------|--------------------|--------------------|--------------------------|
| Purpose | # of Staff | Days | Total Eligible Costs | 85% Federal Share | 15% State Share | Planned MOE Expenditures |
| Routine Travel | | | \$30,000.00 | \$25,500.00 | \$4,500.00 | \$0.00 |
| DIAP | 2 | 5 | \$3,500.00 | \$2,975.00 | \$525.00 | \$0.00 |
| DRE Conference | 2 | 5 | \$3,500.00 | \$2,975.00 | \$525.00 | \$0.00 |
| Grant Trainnig | 3 | 5 | \$5,250.00 | \$4,462.50 | \$787.50 | \$0.00 |
| NAIC | 3 | 5 | \$5,250.00 | \$4,462.50 | \$787.50 | \$0.00 |
| COMHED | 2 | 5 | \$3,500.00 | \$2,975.00 | \$525.00 | \$0.00 |
| CVSA Convention | 6 | 5 | \$10,000.00 | \$8,500.00 | \$1,500.00 | \$0.00 |
| CVSA Conference | 4 | 7 | \$16,000.00 | \$13,600.00 | \$2,400.00 | \$0.00 |
| Annual Training Certifications and Recertifications A/B/HM /Recertifications | | | \$30,000.00 | \$25,500.00 | \$4,500.00 | \$0.00 |
| IATAI Conference | 8 | 5 | \$5,000.00 | \$4,250.00 | \$750.00 | \$0.00 |
| Sub-Total Travel | | | \$112,000.00 | \$95,200.00 | \$16,800.00 | \$0.00 |

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

Annually, the Kansas MCSAP program participates in CVSA, COMHED, Grant Training, NAIC, DRE, and DIAP training.

This year we anticipate sending 6 personnel to the CVSA Convention and 4 to the annual conference as voting members of the vehicle, driver, HM, PIC and training committees. We will also send two members to COMHED, the DRE conference, NAIC and DIAP training. We plan to send three members to grant training.

The travel is for programs throughout Kansas, overnight stays and per diem associated with the travel. Additionally routine MCSAP travel includes annual Road Check as well as the National HM lane. In an effort to keep travel costs at a minimum, Kansas strategically stages these annual events throughout the state typically in Wichita, Kansas City and Salina, where the majority of our inspectors reside in order to keep per diem and overnight stays at a minimum. Approximately 10 people travel to each deployment and have overnight stays with per diem. The additional program travel is for the 200 plus programs MCSAP annually provides throughout the year. All routine travel methods are by KHP state owned vehicles. Per Diem in state is \$46.00 per day and hotel maximums are \$83.00 per night this annually is projected to be \$30,000.00 based on 2015 actuals.

IATAI Conference: Eight crash reconstructionists will be attending reconstruction courses during the conference which will include CMV reconstruction best practices, braking efficiency, ECM downloads, evidentiary procedures, wireless devices etc...

4 - Spending Plan: Equipment

Equipment costs only include those items which are tangible, nonexpendable, personal property having a useful life of more than one year and acquisition cost of \$5,000 or more per unit. Include a description, quantity and unit price for all equipment. If the expense is under the threshold of \$5,000 per item, it belongs under "Supplies". However, if your State's equipment threshold is below \$5,000, check the box and provide the amount of your equipment threshold.

The actual "Cost per Item" for MCSAP grant purposes is tied to the percentage of time that the team will be dedicated to MCSAP activities. For example, if you purchase a vehicle costing \$20,000 and it is only used for MCSAP purposes 50% of the time, then the "Cost per Item" in the table below should be shown as \$10,000. A State can provide a more detailed explanation in the narrative section.

Indicate if your State's equipment threshold is below \$5,000: ☐ Yes ☒ No

If threshold is below \$5,000, enter threshold level:

| Equipment Cost Spending Plan Narrative | | | | | | |
|-----------------------------------------------------|------------|---------------|----------------------|---------------------|--------------------|--------------------------|
| Item Name | # of Items | Cost per Item | Total Eligible Costs | 85% Federal Share | 15% State Share | Planned MOE Expenditures |
| Robotic total station | 5 | \$20,000.00 | \$100,000.00 | \$85,000.00 | \$15,000.00 | \$0.00 |
| Accessory Kit equipment for total station operation | 5 | \$8,000.00 | \$40,000.00 | \$34,000.00 | \$6,000.00 | \$0.00 |
| Sub-Total Equipment | | | \$140,000.00 | \$119,000.00 | \$21,000.00 | \$0.00 |

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

The robotic total stations will replace aging (purchased with State funds) total stations. As part of our MCSAP unit the Kansas Highway Patrol's Critical Highway Accident Reconstruction Team (CHART) responds to commercial motor vehicle collisions which fit in to the following categories:

CHART teams when notified, shall respond to:

- A fatal or probable fatal accident involving a commercial vehicle.
- The duties and responsibilities of CHART members shall focus on the performance of accident reconstruction activities. Regular MCSAP duties shall be performed as time permits or when directed by the troop commander or dispatch center.

The robotic total stations and related operating equipment ensure the faster clearing of the crash scene with maximum efficiency. The scene will be cleansed of all motor vehicles involved in the collision, reducing secondary or subsequent crashes. The stations also allow for optimal use by less users as they follow the prism robotically increasing both speed, and accuracy. The reflectorless capability allows for point and shoot of some areas of a scene without the use of a second operator or prism pole. Ultimately scenes are made safer faster, as well as more accurately recording physical evidence, which, often, can be the difference in determining the causal factors in a collision.

The applicant hereby affirmatively states that equipment will be used for MCSAP-funded activities only.

5 - Spending Plan: Supplies

Supplies are tangible personal property other than equipment (which can include laptop computers and printers). Include the types of property in general terms. It is not necessary to document office supplies in great detail (reams of paper, boxes of paperclips, etc.) A good way to document office supplies is to indicate the approximate expenditure of the unit as a whole. Do include a quantity, unit of measurement (e.g., month, year, each, etc.) and unit cost.

The actual "Cost per Item" for MCSAP grant purposes is tied to the percentage of time that the item will be dedicated to MCSAP activities. For example, if you purchase an item costing \$200 and it is only used for MCSAP purposes 50% of the time, then the "Cost per Item" in the table below should be shown as \$100. A State can provide a more detailed explanation in the narrative section.

| Supplies Cost Spending Plan Narrative | | | | | | | |
|---------------------------------------|------------------|---------------------|---------------|----------------------|--------------------|-------------------|--------------------------|
| Item Name | # of Units/Items | Unit of Measurement | Cost per Unit | Total Eligible Costs | 85% Federal Share | 15% State Share | Planned MOE Expenditures |
| General office supplies | 1 | Annual | \$30,000.00 | \$30,000.00 | \$25,500.00 | \$4,500.00 | \$0.00 |
| Sub-Total Supplies | | | | \$30,000.00 | \$25,500.00 | \$4,500.00 | \$0.00 |

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

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

Additional items in this category include: DVDs utilized in our in car video systems, CDs, pens, paper, copy paper, bathroom supplies, rubber gloves utilized during searches and when contraband is discovered during an inspection additional uses include handling of urine, blood and other contagions, and other misc. office supplies utilized throughout the year, including the CVSA OOS manuals printed and distributed annually to KHP field personnel.

Larger items such as laptops or printers are replaced through a state funding source.

6 - Spending Plan: Contractual

Contractual includes subgrants and contracts, such as consulting costs. Include the rationale for the amount of the costs. The narrative should provide the name of the subgrantee or vendor if known at the time that the application is being developed. If the name of the subgrantee or vendor is not known, enter "unknown at this time" and give an estimated time when it is expected. You do need to include specific contract goods and/or services provided, the related expenses for those goods and services, and how the cost of the contract represents a fair market value, which includes stating that the contract is procured through established state procurement practices. Entering the statement "contractual services" will not be considered as meeting the requirement for completing this section.

Contract means 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.

Subaward means 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. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

For applicants with subgrantee agreements: Whenever the applicant intends to provide funding to another organization as a subaward, the grantee must provide a narrative and spending plan for each subgrantee organization. The eCVSP allows applicants to submit a narrative and spending plan for each subgrantee. Provide a separate spending plan for each subgrant, regardless of the dollar value and indicate the basis for the cost estimates in the narrative.

| Contractual Cost Spending Plan Narrative | | | | |
|-------------------------------------------------|----------------------|-------------------|-----------------|--------------------------|
| Description of Services | Total Eligible Costs | 85% Federal Share | 15% State Share | Planned MOE Expenditures |
| Sub-Total Contractual | \$0.00 | \$0.00 | \$0.00 | \$0.00 |

Enter detailed explanation of how you came up with the contractual costs:

7 - Spending Plan: Other Costs

Other direct costs do not fit any of the aforementioned categories, such as rent for buildings used to conduct project activities, utilities and/or leased equipment, employee training tuition, etc. You must include a quantity, unit of measurement (e.g., month, year, each, etc.) and unit cost. You must itemize ALL "Other" direct costs.

If the State plans to include O&M costs, details must be provided in this section and the costs included in the Other Costs area of the Spending Plan Narrative. Please indicate these costs as ITD O&M, PRISM O&M, or SSDQ O&M.

Indicate if your State will claim reimbursement for Indirect Costs: ☐ Yes ☒ No If yes please fill in table below.

| Item Name | Total Eligible Costs | 85% Federal Share | 15% State Share | Planned MOE Expenditures |
|----------------|----------------------|-------------------|-----------------|--------------------------|
| Indirect Costs | | | | |

| Other Costs Spending Plan Narrative | | | | | | | |
|--------------------------------------------------|------------------|---------------------|---------------|----------------------|---------------------|--------------------|--------------------------|
| Item Name | # of Units/Items | Unit of Measurement | Cost per Unit | Total Eligible Costs | 85% Federal Share | 15% State Share | Planned MOE Expenditures |
| Vehicle Insurance | 1 | Annual | \$14,000.00 | \$14,000.00 | \$11,900.00 | \$2,100.00 | \$0.00 |
| Cell Phones | 1 | Annual | \$20,610.72 | \$20,610.72 | \$17,519.11 | \$3,091.60 | \$0.00 |
| Instruction materials (books for new inspectors) | 1 | Annual | \$7,000.00 | \$7,000.00 | \$5,950.00 | \$1,050.00 | \$0.00 |
| Fuel | 1 | Annual | \$180,000.00 | \$180,000.00 | \$153,000.00 | \$27,000.00 | \$0.00 |
| Copier Rental | 1 | Annual | \$4,500.00 | \$4,500.00 | \$3,825.00 | \$675.00 | \$0.00 |
| Office Rent | 1 | Annual | \$48,111.22 | \$48,111.22 | \$40,894.53 | \$7,216.68 | \$0.00 |
| CVSA Decals | 6400 | Annual | \$0.28 | \$1,792.00 | \$1,523.20 | \$268.80 | \$0.00 |
| Maintenance of Vehicles | 1 | Annual | \$30,000.00 | \$30,000.00 | \$25,500.00 | \$4,500.00 | \$0.00 |
| Uniforms | 440 | Annual | \$56.00 | \$24,640.00 | \$20,944.00 | \$3,696.00 | \$0.00 |
| Membership Dues (CVSA) | 1 | Annual | \$7,900.00 | \$7,900.00 | \$6,715.00 | \$1,185.00 | \$0.00 |
| Sub-Total Other Costs | | | | \$338,553.94 | \$287,770.84 | \$50,783.08 | \$0.00 |

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

Applicant affirmatively states that equipment will be used for MCSAP-funded activities only

CVSA Decals 6,400 at \$0.28= \$1,792.

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

MCSAP office rent totals \$35,000.00 annually. The KHP MCSAP office houses 8 administrative personnel. There are five offices, conference room, and 5 cubicles. The office is the central hub for all 364 Kansas NAS certified inspectors.

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

Vehicle insurance is \$14,000 annually (self-insured) cost for insurance company to manage the self-insurance policy.

Training costs the only relevant training cost incurred not listed in the training travel budget category is CVSA and HM books for new inspectors. These books are required as computers and internet connectivity may fail or in some areas of KS no connectivity exists.

Maintenance of vehicles not under contract: No KHP vehicles are under contract. The maintenance includes services such as windshield wipers, tires, and scheduled maintenance of our vehicle fleet.

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

Communications are comprised of air cards and mobile phones and service plans. MCSAP has 39 users. MCSAP cellphones cost \$44.04 per person per month or \$1,717.56 total monthly cost or \$20,610.72 annually.

8 - Spending Plan**Instructions:**

The spending plan will be auto-populated from the relevant tables in the narrative. MOE is autopopulated from the Spending Plan Narrative sections. The Total Grant Expenditures column is automatically calculated based on the auto-populated Federal and State share amounts entered in the narrative tables.

| ESTIMATED Fiscal Year Funding Amounts for MCSAP | | | |
|--------------------------------------------------------|-------------------|-----------------|-------------------------|
| | 85% Federal Share | 15% State Share | Total Estimated Funding |
| Total | \$4,282,584.00 | \$755,750.00 | \$5,038,334.00 |

Allowable amount for Overtime (15% of total award amount without justification): \$755,750.00

Maximum amount for Non-CMV Traffic Enforcement (10% of Basic funding amount): \$381,692.00

| Personnel (Payroll Costs) | | | | |
|-----------------------------------|-----------------------|---------------------|--------------------------|--------------------------|
| | 85% Federal Share | 15% State Share | Total Grant Expenditures | Planned MOE Expenditures |
| Administrative Staff (Safety Net) | \$48,124.96 | \$8,492.64 | \$56,617.60 | \$0.00 |
| Safety Inspectors | \$123,228.65 | \$21,746.23 | \$144,974.88 | \$0.00 |
| CAPT | \$67,707.68 | \$11,938.41 | \$79,646.09 | \$0.00 |
| TECHTRP | \$1,195,483.94 | \$78,069.16 | \$1,273,553.10 | \$409,000.50 |
| MCI OFCR | \$53,853.28 | \$9,503.52 | \$63,356.80 | \$0.00 |
| LT | \$548,645.76 | \$96,819.84 | \$645,465.60 | \$0.00 |
| IT Support | \$46,321.60 | \$8,174.40 | \$54,496.00 | \$0.00 |
| Accounting Support | \$32,283.68 | \$5,697.12 | \$37,980.80 | \$0.00 |
| Overtime | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Technical Trooper PT NE | \$190,092.53 | \$166,454.25 | \$356,546.78 | \$0.00 |
| Subtotal for Personnel | \$2,305,742.08 | \$406,895.57 | \$2,712,637.65 | \$409,000.50 |

| Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.) | | | | |
|------------------------------------------------------------------------|-----------------------|---------------------|--------------------------|--------------------------|
| | 85% Federal Share | 15% State Share | Total Grant Expenditures | Planned MOE Expenditures |
| Administrative Staff (Safety Net) | \$11,011.07 | \$1,943.13 | \$12,954.20 | \$0.00 |
| Safety Inspectors | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| CAPT | \$15,325.03 | \$2,704.41 | \$18,029.44 | \$0.00 |
| TECHTRP | \$324,076.65 | \$57,189.99 | \$381,266.64 | \$0.00 |
| MCI OFCR | \$12,203.15 | \$2,153.49 | \$14,356.64 | \$0.00 |
| LT | \$124,323.12 | \$21,939.37 | \$146,262.49 | \$0.00 |
| Health Insurance | \$525,203.71 | \$92,683.01 | \$617,886.72 | \$0.00 |
| IT Support | \$10,598.37 | \$1,870.30 | \$12,468.67 | \$0.00 |
| Accounting Support | \$7,386.50 | \$1,303.50 | \$8,690.00 | \$0.00 |
| Overtime | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Technical Trooper PT NE | \$43,493.17 | \$7,675.26 | \$51,168.43 | \$0.00 |
| Subtotal for Fringe Benefits | \$1,073,620.77 | \$189,462.46 | \$1,263,083.23 | \$0.00 |

| Program Travel | | | | |
|------------------------------------------------------------------------------|--------------------|--------------------|--------------------------|--------------------------|
| | 85% Federal Share | 15% State Share | Total Grant Expenditures | Planned MOE Expenditures |
| Routine Travel | \$25,500.00 | \$4,500.00 | \$30,000.00 | \$0.00 |
| DIAP | \$2,975.00 | \$525.00 | \$3,500.00 | \$0.00 |
| DRE Conference | \$2,975.00 | \$525.00 | \$3,500.00 | \$0.00 |
| Grant Trainnig | \$4,462.50 | \$787.50 | \$5,250.00 | \$0.00 |
| NAIC | \$4,462.50 | \$787.50 | \$5,250.00 | \$0.00 |
| COMHED | \$2,975.00 | \$525.00 | \$3,500.00 | \$0.00 |
| CVSA Convention | \$8,500.00 | \$1,500.00 | \$10,000.00 | \$0.00 |
| CVSA Conference | \$13,600.00 | \$2,400.00 | \$16,000.00 | \$0.00 |
| Annual Training Certifications and Recertifications A/B/HM /Recertifications | \$25,500.00 | \$4,500.00 | \$30,000.00 | \$0.00 |
| IATAI Conference | \$4,250.00 | \$750.00 | \$5,000.00 | \$0.00 |
| Subtotal for Program Travel | \$95,200.00 | \$16,800.00 | \$112,000.00 | \$0.00 |

| Equipment | | | | |
|-----------------------------------------------------|---------------------|--------------------|--------------------------|--------------------------|
| | 85% Federal Share | 15% State Share | Total Grant Expenditures | Planned MOE Expenditures |
| Robotic total station | \$85,000.00 | \$15,000.00 | \$100,000.00 | \$0.00 |
| Accessory Kit equipment for total station operation | \$34,000.00 | \$6,000.00 | \$40,000.00 | \$0.00 |
| Subtotal for Equipment | \$119,000.00 | \$21,000.00 | \$140,000.00 | \$0.00 |

| Supplies | | | | |
|------------------------------|--------------------|-------------------|--------------------------|--------------------------|
| | 85% Federal Share | 15% State Share | Total Grant Expenditures | Planned MOE Expenditures |
| General office supplies | \$25,500.00 | \$4,500.00 | \$30,000.00 | \$0.00 |
| Subtotal for Supplies | \$25,500.00 | \$4,500.00 | \$30,000.00 | \$0.00 |

| Contractual (Subgrantees, Consultant Services, etc.) | | | | |
|------------------------------------------------------|-------------------|-----------------|--------------------------|--------------------------|
| | 85% Federal Share | 15% State Share | Total Grant Expenditures | Planned MOE Expenditures |
| Subtotal for Contractual | \$0.00 | \$0.00 | \$0.00 | \$0.00 |

| Other Expenses | | | | |
|-------------------------------------------------------------------------|---------------------|--------------------|--------------------------|--------------------------|
| | 85% Federal Share | 15% State Share | Total Grant Expenditures | Planned MOE Expenditures |
| Vehicle Insurance | \$11,900.00 | \$2,100.00 | \$14,000.00 | \$0.00 |
| Cell Phones | \$17,519.11 | \$3,091.60 | \$20,610.71 | \$0.00 |
| Instruction materials (books for new inspectors) | \$5,950.00 | \$1,050.00 | \$7,000.00 | \$0.00 |
| Fuel | \$153,000.00 | \$27,000.00 | \$180,000.00 | \$0.00 |
| Copier Rental | \$3,825.00 | \$675.00 | \$4,500.00 | \$0.00 |
| Office Rent | \$40,894.53 | \$7,216.68 | \$48,111.21 | \$0.00 |
| CVSA Decals | \$1,523.20 | \$268.80 | \$1,792.00 | \$0.00 |
| Maintenance of Vehicles | \$25,500.00 | \$4,500.00 | \$30,000.00 | \$0.00 |
| Uniforms | \$20,944.00 | \$3,696.00 | \$24,640.00 | \$0.00 |
| Membership Dues (CVSA) | \$6,715.00 | \$1,185.00 | \$7,900.00 | \$0.00 |
| Subtotal for Other Expenses including Training & Conferences | \$287,770.84 | \$50,783.08 | \$338,553.92 | \$0.00 |

| Total Costs | | | | |
|----------------------------------|-----------------------|---------------------|--------------------------|--------------------------|
| | 85% Federal Share | 15% State Share | Total Grant Expenditures | Planned MOE Expenditures |
| Subtotal for Direct Costs | \$3,906,833.69 | \$689,441.11 | \$4,596,274.80 | \$409,000.50 |
| Total Costs Budgeted | \$3,906,833.69 | \$689,441.11 | \$4,596,274.80 | \$409,000.50 |

| |
|-----------------------------|
| Comprehensive Budget |
|-----------------------------|

This Comprehensive Budget is a read-only document. It is a cumulative summary of the Spending Plans from each focus area by budget category.

| ESTIMATED Fiscal Year Funding Amounts for MCSAP | | | |
|-------------------------------------------------|-------------------|-----------------|-------------------------|
| | 85% Federal Share | 15% State Share | Total Estimated Funding |
| Total | \$4,282,584.00 | \$755,750.00 | \$5,038,334.00 |

- The Total Federal Share budgeted does not equal 85% of the Total Grant Expenditures. Please revise the spending plan(s) to reflect an amount that is equal to 85%.

| Cost Summary by Budget Category | | | | |
|---------------------------------|--------------------|------------------|--------------------------|--------------------------|
| | 85% Federal Share | 15% State Share | Total Grant Expenditures | Planned MOE Expenditures |
| Personnel Total | \$2,544,021.81 | \$448,944.93 | \$2,992,966.74 | \$409,000.50 |
| Fringe Benefit Total | \$1,175,351.95 | \$207,415.02 | \$1,382,766.97 | \$0.00 |
| Program Travel Total | \$102,683.40 | \$18,120.60 | \$120,804.00 | \$0.00 |
| Equipment Total | \$122,932.10 | \$21,693.90 | \$144,626.00 | \$0.00 |
| Supplies Total | \$49,823.90 | \$8,792.47 | \$58,616.37 | \$0.00 |
| Contractual Total | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Other Expenses Total | \$287,770.84 | \$50,783.08 | \$338,553.92 | \$0.00 |
| Total Costs | | | | |
| | 85% Federal Share | 15% State Share | Total Grant Expenditures | Planned MOE Expenditures |
| Subtotal for Direct Costs | \$4,282,584.00 | \$755,750.00 | \$5,038,334.00 | \$409,000.50 |
| Indirect Costs | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Total Costs Budgeted | \$4,282,584 | \$755,750 | \$5,038,334 | \$409,001 |

NOTE: Total Costs Budgeted row: Federal Share value rounded down to nearest whole dollar and State Share value rounded up to the nearest whole dollar amount.

- The Total Federal Share budgeted does not equal 85% of the Total Grant Expenditures. Please revise the spending plan(s) to reflect an amount that is equal to 85%.

122 S. W. 7th Street
Topeka, KS 66603



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Fax: (785) 296-5956
www.kansashighwaypatrol.org

Mark A. Bruce, Superintendent

Sam Brownback, Governor

DESIGNATION OF MCSAP LEAD AGENCY BY GOVERNOR

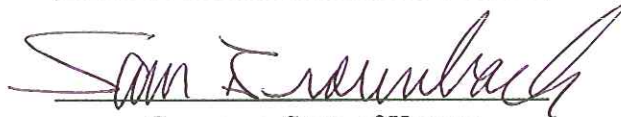
The State has designated the **Kansas Highway Patrol** as the lead agency to administer the enforcement plan for which the grant is being awarded, and the **Kansas Highway Patrol** to perform the functions under this plan. This agency has or will have the legal authority, resources and qualified personnel necessary for enforcement of the State's commercial motor carrier and hazardous materials safety rules and regulations.

Date:

July 5, 2016

Location:

Kansas



Governor, State of Kansas

Certification of MCSAP Conformance (State Certification)

I Sam Brownback, Governor, on behalf of the State of Kansas, as requested by the Administrator as a condition of approval of a grant under the authority of 49 U.S.C. § 31102, as amended, do hereby certify as follows:

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

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

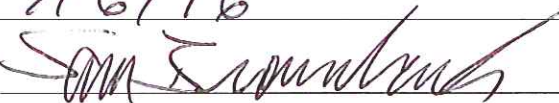
bus station, terminal, border crossing, maintenance facility, destination, or other location where motor carriers may make planned stops (excluding a weigh station).

22. The State will transmit to its roadside inspectors the notice of each Federal exemption granted pursuant to 49 U.S.C. § 31315(b) and 49 CFR 390.32 and 390.25 as provided to the State by FMCSA, including the name of the person granted the exemption and any terms and conditions that apply to the exemption.
23. Except for a territory of the United States, the State will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under 49 U.S.C. § 31144(g). The State must verify the quality of the work conducted by a third party authorized to conduct safety audits under 49 U.S.C. § 31144(g) on its behalf, and the State remains solely responsible for the management and oversight of the activities.
24. The State will fully participate in the performance and registration information systems management program under 49 U.S.C. § 31106(b) not later than October 1, 2020, or demonstrates to FMCSA an alternative approach for identifying and immobilizing a motor carrier with serious safety deficiencies in a manner that provides an equivalent level of safety.
25. In the case of a State that shares a land border with another country, the State may conduct a border CMV safety program focusing on international commerce that includes enforcement and related projects or will forfeit all MCSAP funds based on border-related activities.
26. In the case that a State meets all MCSAP requirements and funds operation and maintenance costs associated with innovative technology deployment with MCSAP funds, the State agrees to comply with the requirements established in 49 CFR 350.319 and 350.329

Date

Signature

7/6/16



The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

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

Statutory/Regulatory Authorities

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

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

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

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

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

General Assurances

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

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

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

Specific Assurances

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

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

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

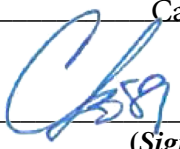
pursuant to this advertisement, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner's race, color, national origin, sex, age, disability, income-level, or LEP in consideration for an award.”;

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

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

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

Captain Christopher J. Turner
(Name of Recipient)

by _____
(Signature of Authorized Official)

DATED _____ June 27, 2016 _____

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 **Kansas Highway Patrol** 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 the Kansas Highway Patrol and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Kansas Highway Patrol, its successors and assigns.

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

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

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 Kansas Highway Patrol pursuant to the provisions of Assurance 7(a):

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

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

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

APPENDIX D

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

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

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

APPENDIX E

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

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

**FMCSA Administrative Capability Questionnaire (Self Certification Form)
For State and Local Governments and Non-Profit Organizations
(Fiscal Year 2017)**

OVERVIEW

All organizations that receive Federal Motor Carrier Safety Administration (FMCSA) financial assistance funds are subject to the administrative and financial standards set forth in the relevant Code of Federal Regulation (CFR) sections and Office of Management and Budget (OMB) Circulars. The CFR sections and OMB Circulars that apply to recipients of Federal grant funds are:

- [2 CFR 215](#), “Uniform Administrative Requirements for Grants and Cooperative Agreement with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB A-110)”
- [2 CFR 220](#), “Cost Principles for Educational Institutions (OMB A-21)”
- [2 CFR 225](#), “Cost Principles for State, Local, and Indian Tribal Governments (OMB A-87)”
- [2 CFR 230](#), “Cost Principles for Non-Profit Organizations (OMB A-122)”
- [49 CFR Part 18](#), “Transportation – Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (OMB Circular A-102 codified at 49 CFR Part 18)”
- [OMB Circular A-133](#), “Audits of States, Local Government, and Non-Profit Organizations”

PURPOSE

The purpose of this Administrative Capabilities Questionnaire (ACQ) is to provide organizations seeking FMCSA grant funds with a tool to assess their ability to successfully manage Federal grant funds against administrative and financial standards. If an organization’s policies and procedures do not fully comply with the requirements in the ACQ, the organization may need revised or new policies in order to comply with Federal financial management standards.

SUBMISSION INSTRUCTIONS

Please complete and sign the ACQ and include it as part of your organization’s application for FMCSA grant funds. One ACQ is needed each Federal fiscal year; therefore, you need only attach one copy to a single FMCSA announcement. FMCSA will retain the ACQ and verify that your organization has the ACQ on file if you choose to apply to multiple FMCSA grant announcements. If you have questions pertaining to the ACQ, please contact the FMCSA Grants Management Office:

By E-mail:

FMCSA_GrantMgmtHelpdesk@dot.gov, or

By Telephone:

(202) 366-0621

Office hours are from 9 a.m. to 5 p.m., Eastern Time, Monday through Friday, except Federal holidays.

**FMCSA Administrative Capability Questionnaire (Self Certification Form)
For State and Local Governments and Non-Profit Organizations
(Fiscal Year 2017)**

| PART I – Contact Information | | |
|-------------------------------------|-------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| 1. | Dun and Bradstreet Data Universal Numbering System (DUNS) Number for your Organization | 102670531 |
| 2. | Organization legal name associated with the DUNS | Kansas Highway Patrol |
| 3. | Address associated with your DUNS Number | State of Kansas 122 SW 7TH ST TOPEKA, KS 66603 |
| 4. | Name of the primary application point of contact (POC) for the information contained in the ACQ | CPT Christopher Turner |
| 5. | POC Phone Number | 785-291-3507 |
| 6. | POC E-mail Address | cturner@khp.ks.gov |

| PART II – General Information and Assurances | | |
|-----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1. | Is your organization in compliance with applicable Anti-Lobbying Policies included in Lobbying Form GG and, if applicable, the SF-LLL Disclosure of Lobbying Activities? | Yes |
| 2. | Have any key personnel listed in the application for your organization been debarred or suspended from participation in Federal assistance programs? | No |
| 3. | Please identify any court judgment, compliance review deficiency, and/or complaint investigation finding relating to Title VI of the Civil Rights Act of 1964 and related Nondiscrimination authorities (to include the Federal-Aid Highway Act of 1973, Title IX of the Education Amendments of 1972, Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, Executive Order #12898 (Environmental Justice) and Executive Order #13166 (Limited English Proficiency)) within the last five years from the beginning of the Federal fiscal year (October 1) under the announcement in which you are applying. | None |
| 4. | Does your organization maintain a Drug-Free Workplace (41 U.S.C. Sec. 701 et seq.) and implementing regulations (49 CFR Part 32)? | Yes |

**FMCSA Administrative Capability Questionnaire (Self Certification Form)
For State and Local Governments and Non-Profit Organizations
(Fiscal Year 2017)**

| PART III – Audit History | | |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Is your accounting system accrual based or cash based? | Modified Accrual |
| 2. | Is your accounting system manual, automated, or a combination? | Combination |
| 3. | Has an audit been performed on the organization's financial statement? | Yes – Comprehensive Annual Financial Report (CAFR) is prepared annually for the State of Kansas |
| 4. | What was the audit opinion? | http://admin.ks.gov/docs/default-source/cfo/cafr/2015-cafr.pdf?sfvrsn=6 "...In our opinion, based on our audit and the report of other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the State of Kansas as of June 30, 2015, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America...." |
| 5. | If your organization has expended more than \$500,000 in Federal grant funds within the last year, has OMB A-133 Audit been performed? | Yes |
| 6. | If yes, were there any major findings? | http://www.kslpa.org/assets/files/reports/r-16-004.pdf |

**FMCSA Administrative Capability Questionnaire (Self Certification Form)
For State and Local Governments and Non-Profit Organizations
(Fiscal Year 2017)**

| | | |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 7. | In no, please explain why an audit was not performed. | |
| 8. | If your organization was subject to any other audits in the last two years (e.g., Office of Inspector General (OIG), programmatic, State) please describe whether or not there were audit findings. | |

| PART IV – Administrative Capability | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------------|
| Instructions: Mark the appropriate box to the right for each item. If your organization meets the requirement, mark the box in the “Yes” column. If your organization does not meet the requirement described, mark the box in the “No/Explain” column. If applicable, provide explanations in the “No/Explain” column or in an attachment. | | | |
| Capability Title | | Yes | No/Explain |
| Financial Management (2 CFR Part 200 Subpart E Cost Principles) | | | |
| 1. | Does your organization provide procedures for determining the reasonableness, allocability and allowability of costs in accordance with the applicable cost principles? | | x |
| 2. | Does your organization provide for effective control and accountability for all grant cash, real and personal property, and other assets? | x | |
| 3. | Does your organization provide accurate, current, and complete disclosure of the financial results of the financially assisted activities required by the financial reporting requirements of the grant? | x | |

**FMCSA Administrative Capability Questionnaire (Self Certification Form)
For State and Local Governments and Non-Profit Organizations
(Fiscal Year 2017)**

| PART IV – Administrative Capability | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Instructions: Mark the appropriate box to the right for each item. If your organization meets the requirement, mark the box in the “Yes” column. If your organization does not meet the requirement described, mark the box in the “No/Explain” column. If applicable, provide explanations in the “No/Explain” column or in an attachment. | | | |
| Capability Title | | Yes | No/Explain |
| 4. | Does your organization permit preparation of reports required by the applicable statutes and regulations? | x | |
| 5. | Does your organization permit the documentation of funds to a level of expenditure adequate to establish that funds have not been expended in violation? | | |
| 6. | Does your organization contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, expenditures, and income sufficient to identify the source and application of funds provided for financially-assisted activities? | x | The KHP financial management system (SMART) includes a grants/projects module, but is not currently being used. This module would contain grant award, authorization and budget information. This information is maintained manually and reconciled with the data in SMART. |
| 7. | Does your organization have an approved indirect cost rate with the Federal Government that covers the entire proposed period of performance for the grant application? | | The Patrol has chosen not to utilize an indirect cost rate. |

| PART IV – Administrative Capability | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------|
| Instructions: Mark the appropriate box to the right for each item. If your organization meets the requirement, mark the box in the “Yes” column. If your organization does not meet the requirement described, mark the box in the “No/Explain” column. If applicable, provide explanations in the “No/Explain” column or in an attachment. | | |
| Capability Title | Yes | No/Explain |
| | | |

**FMCSA Administrative Capability Questionnaire (Self Certification Form)
For State and Local Governments and Non-Profit Organizations
(Fiscal Year 2017)**

| PART IV – Administrative Capability | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------------|
| Instructions: Mark the appropriate box to the right for each item. If your organization meets the requirement, mark the box in the “Yes” column. If your organization does not meet the requirement described, mark the box in the “No/Explain” column. If applicable, provide explanations in the “No/Explain” column or in an attachment. | | | |
| | Capability Title | Yes | No/Explain |
| Procurement Standards 2 CFR § 200.317 through § 200.326 (as applicable to entity type) | | | |
| 1. | When procuring property, including equipment and services under grants, does your organization’s contract administration system thoroughly document and inventory all equipment purchased with grant funds? | x | |
| 2. | Does your organization provide controls to ensure safeguards against loss, damage, or theft of the property? | x | |
| 3. | Does your organization provide adequate maintenance of the property? | x | |
| 4. | Does your organization follow written procurement procedures which (1) avoid unnecessary purchases; (2) provide an analysis of lease and purchase alternatives; and (3) provide a process for soliciting goods and services that maximizes competition to obtain good value? | x | |
| 5. | Does your organization define equipment as property that is non-expendable, tangible personal property having a useful life of more than one year and is an acquisition cost valued at \$5,000 or the lesser of the capitalization level established by the State or local government? | x | |

FMCSA Administrative Capability Questionnaire (Self Certification Form)
For State and Local Governments and Non-Profit Organizations
(Fiscal Year 2017)

| PART IV – Administrative Capability | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------------|
| Instructions: Mark the appropriate box to the right for each item. If your organization meets the requirement, mark the box in the “Yes” column. If your organization does not meet the requirement described, mark the box in the “No/Explain” column. If applicable, provide explanations in the “No/Explain” column or in an attachment. | | | |
| Capability Title | | Yes | No/Explain |
| Personnel | | | |
| 1. | Does your organization maintain written standards of conduct governing the performance of employees engaged in the award and administration of contracts (e.g., conflict of interest forms)? (2 CFR Part 200.318)? | x | |
| 2. | Does your organization maintain a personnel system which provides for the submission of personnel activity reports on the activities of each employee whose compensation is charged to an assistance agreement? (2 CFR Part 200.430 , 2 CFR 225 Appendix B, 8.h.(5) and 2 CFR 230 Appendix B, Section 8.m as applicable)? | x | |
| 3. | Are your organization’s fringe benefits applied reasonably and consistently to all grants and identified by individual employee or allotted by a fringe benefit rate? | x | |

**FMCSA Administrative Capability Questionnaire (Self Certification Form)
For State and Local Governments and Non-Profit Organizations
(Fiscal Year 2017)**

| PART IV – Administrative Capability | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------------------------------|
| Instructions: Mark the appropriate box to the right for each item. If your organization meets the requirement, mark the box in the “Yes” column. If your organization does not meet the requirement described, mark the box in the “No/Explain” column. If applicable, provide explanations in the “No/Explain” column or in an attachment. | | | |
| Capability Title | | Yes | No/Explain |
| Sub-Award System (2 CFR §200.92 , §200.201) | | | |
| 1. | Does your organization’s sub-award administration system meet Federal requirements? | | N/A – No sub-awards are allowed. |
| 2. | Does your organization maintain written procedures outlining sub-grantee responsibilities and include clauses required by Federal statute and EO’s and their implementing regulations? | | N/A – No sub-awards are allowed. |

PART V - CERTIFICATION AND SUBMISSION

CERTIFICATION OF APPLICANT’S AUTHORIZED REPRESENTATIVE (REQUIRED):

I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete.

Name: Chris Turner

Title Captain

Signature:

Date: 7/22/16

MCSAP MAINTENANCE OF EFFORT (MOE) SUBSTANTIATION TEMPLATE
FEDERAL FISCAL YEAR (FFY): 2015

| LEAD AGENCY MCSAP-ELIGIBLE EXPENDITURES for FFY 2015 (October 1, 2014 through September 30, 2015) | FFY 2015 TOTAL MCSAP ELIGIBLE EXPENDITURES ¹ |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| Personnel (Payroll Costs) | |
| Salary | \$2,421,997.05 |
| Overtime (Allowed Basic and Incentive Funded) | \$1,475.58 |
| Other Payroll Costs (<i>describe</i>) | |
| (Specify) | \$328,754.47 |
| Subtotal for Personnel | \$2,752,227.10 |
| Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.) | |
| (Specify) | \$909,756.31 |
| Subtotal for Fringe Benefits | \$909,756.31 |
| Program Travel | |
| Routine MCSAP-related Travel (Lodging/M Meal Allowance) | \$72,571.28 |
| Conference Travel | |
| Training Travel | \$8,238.09 |
| (Specify) | |
| Subtotal for Program Travel | \$80,809.37 |
| Equipment | |
| Vehicles and Related Vehicle Equipment | |
| Vehicles | |
| Other Inspection Vehicle Equipment (Radios, etc.) | \$22,028.71 |
| (Specify) | |
| Subtotal for Vehicles and Related Vehicle Equipment | \$22,028.71 |
| Non-Vehicle Equipment | |
| Other Equipment (Not included above) | \$33,452.69 |
| (Specify) | |
| Subtotal for Non-Vehicle Equipment | \$33,452.69 |
| Subtotal for Equipment | \$55,481.40 |
| Supplies | |
| Office Supplies | \$25,401.81 |
| Uniforms and Other Related Supplies | \$39,505.51 |
| Computers | \$233.97 |
| Printers | |
| (Specify) | |
| Subtotal for Supplies | \$65,141.29 |
| Contractual (Sub Grantees, Consultant Services, etc.) | |
| Lease Cost of MCSAP Vehicles | |
| (Specify) | \$32,554.49 |
| Subtotal for Contractual | \$32,554.49 |
| Other Expenses | |
| Training Costs (Tuition, materials, etc.) | \$382.55 |
| CVSA Decals | |
| Conferences Costs (Registration fees, etc.) | \$29,797.00 |
| Fuel Costs | \$183,624.23 |
| Repair and Maintenance of Vehicles Not Under Contract | |
| Fleet Cost (Mileage/Repairs) | \$36,207.21 |
| Communications (air cards, mobile phones, etc.) | \$33,905.38 |
| (Specify) | \$23,018.48 |
| Subtotal for Other Expenses including Training & Conferences | \$306,934.85 |
| TOTAL DIRECT COSTS | \$4,202,904.81 |
| TOTAL APPROVED INDIRECT COSTS | \$0.00 |
| TOTAL MCSAP ELIGIBLE COSTS EXPENDED | \$4,202,904.81 |
| Federal Grant Funds Expended | \$3,040,047.00 |
| Associated State Matching Funds Expended | \$760,012.00 |
| Total Grant Related Funds Expended | \$3,800,059.00 |
| Total MOE Funds Expended | \$402,845.81 |
| CERTIFICATION AND VALIDATION OF FFY 2015 MOE EXPENDITURES | |
| TOTAL MOE BASELINE <small>(MAP-21 Baseline years of 2004 and 2005)</small> | \$341,825.51 |
| TOTAL MOE EXPENDITURES | \$402,845.81 |
| <p>I hereby certify as follows that the information included in this template is true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable federal law:</p> <p>(1) The State lead MCSAP agency has validated and met the minimum MOE baseline expenditure amount for FFY 2015.</p> <p>(2) All Lead Agency expenditures included in the template are MCSAP-eligible.</p> <p>(3) Supporting documents are available for review by the Federal Motor Carrier Safety Administration upon request.</p> | |
| NAME AND TITLE OF STATE OFFICIAL : Captain Christopher Turner | 7/22/2016 |
| EMAIL ADDRESS FOR CERTIFYING OFFICIAL: cturner@khp.ks.gov | 785-296-7189 |

Regulatory Compatibility Review

The below listed regulations have compatibility issues with the adopted regulations through July 5, 2016.

Hazardous Materials Regulations: (KAR 82-4-20): The current adoption update process will make all adopted regulations current to 10/1/2011. The following will still be outdated until further adoptions.

49 CFR Part 107 – Sections 601 to 620 have not been adopted. Part 107 has also been affected by final rules published 07/15, 10/02/2013, 03/18/2014, 11/9/2015 and 2/22/2016.

49 CFR Part 171 – due to final rules published 6/25, 10/5/2012, 1/7, 3/11, 4/17, 7/15, 10/2, 10/31/2013, 3/18, 7/11, 8/6/14, 1/8, 11/9, 12/23/2015, 1/20, 2/22 and 3/31/2016.

49 CFR Part 172 – due to final rules published 12/28, 12/30/2011, 6/25, 10/5/2012, 1/7, 3/7, 3/11, 7/15, 7/30, 10/2, 10/31/2013, 3/18, 7/11, 8/6/14, 1/8, 12/23/2015, 1/20 and 2/22/2016.

49 CFR Part 173 – due to final rules published 12/28, 12/30/2011, 4/16, 6/25, 10/5/2012, 1/7, 3/7, 3/11, 7/15, 7/30, 10/2, 10/31/2013 and 3/18, 7/11, 8/6/14, 1/8, 12/23/2015, 1/20, 2/22 and 3/31/2016.

49 CFR Part 177 – due to final rule published 12/02/2011, 1/7, 3/11, 9/25, 10/2/2013, 7/11/14, 12/23/2015, 1/20 and 2/22/2016.

49 CFR Part 178 – due to final rule published 10/5/2012, 1/7, 3/7, 3/11, 10/2, 10/31/2013, 3/18, 7/11/14, 1/8, 12/23/2015 and 2/22/2016.

49 CFR Part 179 – due to final rule published 10/5/2012 and 10/2/2013.

49 CFR Part 180 – due to final rule published 3/11, 10/2/2013, 1/8, 12/23/2015 and 2/22/2016.

Part 40: (KAR 82-4-3b): The current adoption update does not address this Part and will only remain current through 10/01/2011. Since that date there have been at least two final and/or interim final rules. KCC has advised that they will be adopting the new control custody form.

Part 382: (KAR 82-4-3c): The current adoption update process will make all adopted regulations current to 1/30/2012. However, Part 382 was subject to four final rules since that date and thus will not be current to date.

Final Rules published affecting Part 382 dated 2/22, 9/10/2012 and 3/14, 9/24/2013.

Part 383: (KSA 8-2,125 through 8-2,153): Several Final Rules published between 12/02/2011 and July 1, 2015, have affected the KS CDL Act.

Some of the changes include several new definitions and restrictions. Several of these changes have been adopted through the legislation process.

We do not know about the penalties and testing procedures or other regulations from the previous rulemakings.

Final Rules published affecting Part 383 dated 10/1/2015, 3/7/2016 and 3/16/2016.

Part 385: (KAR 82-4-3d) The current adoption update process will make all adopted regulations current to 12/27/2011. However, Part 385 was subject to thirteen final rules since that date and thus will not be current to date.

Final Rules published affecting Part 385 dated 05/08, 05/14, 9/10, 10/23/2012, 9/24, 10/1/2013 and 1/22, 10/2/14, 10/1, 10/21, 12/16/2015, 1/21 and 6/17/2016.

Part 386: (KAR 82-4-3o) The current adoption update process will make all adopted regulations current to 10/1/2011. However, Part 386 was subject to six final rules since that date and thus will not be current to date.

Final Rule published affecting Part 386 dated 9/10/2012, 9/24, 10/1/2013, 1/22/2014, 1/29, and 2/16/2016.

Part 387: (KAR 82-4-3n) The current adoption update process will make all adopted regulations current to 10/1/2011. However, Part 387 was subject to six final rules since that date and thus will not be current to date.

Final Rule published affecting Part 387 dated 9/10/2012, 8/23, 9/24, 10/1/2013, 10/02/2014 and 10/1/2015.

Part 390: (KAR 82-4-3f) The current adoption update process will make all adopted regulations current to 10/01/2013. However, Part 390 was subject to eight final rules since that date and thus will not be current to date.

Final Rules published affecting Part 390 dated 10/23/2013, 3/19, 10/2, 10/22/14, 5/27, 10/1/2015, 2/16 and 3/16/2016.

Part 391: (KAR 82-4-3g) The current adoption update process will make all adopted regulations current to 10/01/2013. However, Part 391 was subject to four final rules since that date and thus will not be current to date.

Final Rules published affecting Part 391 dated 1/14, 10/2/14, 6/22 and 10/1/2015.

Part 392: (KAR 82-4-3h) The current adoption update process will make all adopted regulations current to 10/1/2012. Part 392 has been subject to three final rules since said date.

Final Rules published affecting Part 392 dated 8/23, 9/25, 10/1/2013, 10/2 and 12/18/14.

Part 393: (KAR 82-4-3i) The current adoption update process will make all adopted regulations current to 10/1/2011. Part 393 was subject to four final rules since that date and thus will not be current to date.

Final Rules published affecting Part 393 dated 08/6, 9/10/2012, 9/24/2013, 10/1/2015.

Part 395: (KAR 82-4-3a) The current adoption update process will make all adopted regulations current to 10/01/2013. However, Part 395 was subject to four final rules since that date and thus will not be current to date.

Final Rules published affecting Part 395 dated 10/28/2013, 10/2/14, 10/1/2015 and 2/16/2016.

Part 396: (KAR 82-4-3j) The current adoption update process will make all adopted regulations current to 12/27/2011. However, Part 396 was subject to seven final rules since that date and thus will not be current to date.

Final Rule published affecting Part 396 dated 4/26, 5/14, 06/12, 09/10/2012, 3/14, 9/24/2013, 12/18/14 and 10/1/2015.

Part 397: (KAR 82-4-3k) The current adoption update process will make all adopted regulations current to 10/1/2011. However, Part 397 was subject to three final rules since that date and thus will not be current to date.

Final Rule published affecting Part 397 dated 09/10/2012, 3/14, 9/24/2013, 12/2/14 and 10/1/2015.

Kansas will continue our annual processes of correcting incompatibility issues during our annual regulation reviews and each new legislative session.

A complete review of all Kansas laws was conducted in accordance with 49 CFR, parts 350 and 355. Kansas adopts the Federal Motor Carrier Safety Regulations and Federal Hazardous Material Regulations directly into law.



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