

# **MAINE**

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

**Date of Approval: Jan 12, 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.***

As representatives of the State of Maine, our mission is to keep our state a safe place to live and visit. We maintain order, protect life and property, and reduce fear of crime by providing diverse high quality law enforcement services.

The Maine State Police, Troop K – Commercial Vehicle Enforcement Unit, is dedicated to ensuring safe travel on the roadways for all members of the traveling public as well as protecting the infrastructure that the people of Maine depend upon. Troop K is also tasked with combating crime in all its forms. We approach this endeavor by utilizing an "all crimes - all hazards" in our day to day operations. These goals can be achieved only through a comprehensive approach to crash reduction, size & weight enforcement, and by ensuring compliance with both the Federal Motor Carrier Safety Regulations, State Laws and Hazardous Material Regulations.

Maine's budget request for FY 2017 includes a request to exceed the 15% allowance on overtime salary spending. The reason for this is due to the manner in which we conduct our Border Enforcement activities. The Maine State Police does not fund any regular salary positions with grant monies due to the unpredictable nature of funding. Instead, grant monies are utilized to conduct various initiatives on an overtime basis. This is the way we have operated for many years. With the inclusion of BEG activities in the MCSAP grant under the FAST Act, and our desire to utilize 15% of our total MCSAP grant to expand our MCSAP activities, our total overtime request will be 35%.

Although this sounds like a large deviation from the standard, we feel that BEG activities are a vital and important function, and we would like to continue the high level of work that we have been performing for over a decade, and we would respectfully request to administer the funding in the same manner as well. The only expansion of overtime monies that we are requesting is that the 15% overtime allowance be used to expand our MCSAP activities. A formal written request with more specific figures is attached to this eCVSP. Any consideration given to this request would be greatly appreciated.

**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 Maine State Police, Troop K-Commercial Vehicle Enforcement is currently staffed with (1) Lieutenant, (3) Sergeants, (3) Corporals, (21) Troopers, (6) non-sworn Motor Carrier Inspectors, (1) non-sworn Motor Carrier Supervisor, and (1) Troop Secretary position. Due to retirements and department manpower issues, we currently have (4) Trooper, and (1) data entry specialist position vacant. The Maine State Police is the sole MCSAP agency in Maine.

All personnel are tasked with the mission of safety. Sworn and non-sworn personnel are responsible for safety inspections and enforcement of the Federal Motor Carrier Safety Regulations and the Hazardous Materials Regulations. In addition the Non-sworn members are tasked with Safety Audits.

**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:**

All roadside personnel have been trained to detect impaired drivers. Sworn personnel have been trained and certified in Standardized Field Sobriety Testing (SFST's) and are trained and certified on the use of the Intoxilyzer. Breath testing instruments are spread throughout the state and are accessible when needed. Maine's current law's does not allow for the use of Portable Breath Testing devices (PBT's).

Troop K has two members (one Sgt. and one Tpr.) that are members of the State Police Proactive Criminal Enforcement) Team. The PACE team conducts additional criminal interdiction details at various locations around the State. These details include stops/inspections of commercial vehicles.

**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:**

Maine's internal guidelines and expectations document require inspectors to check authority of vehicles when they are inspected. Due to some connectivity issues in more remote parts of the state, this isn't always possible. In those instances, personnel are able to contact by phone our regional FMCSA office, or another trooper/inspector to obtain the requested data. In cases where no phone service is available, personnel will follow up at a later time when connectivity is re-established. The inspectors are provided guidance and training to ensure that they conduct these checks. There is a system in place to spot check compliance and address any issues discovered.

**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	14	16	13
01/01/2014	12/31/2014	13	13	13
01/01/2013	12/31/2013	20	18	18
01/01/2012	12/31/2012	11	10	10
01/01/2011	12/31/2011	20	19	19

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

<https://ai.fmcsa.dot.gov/CrashStatistics/rptSummary.aspx>

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

Maine has reduced the average fatalities to 15.6/year. Last year, we set a goal of 18 fatalities- in 2016 we will set a goal of 16. As of 07-22-16, we have recorded 4 fatalities. We will continue to work to reduce fatalities involving large trucks and buses.

**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 # Fatalities

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	0	0	0
01/01/2013	12/31/2013	1	0	1
01/01/2012	12/31/2012	0	0	0
01/01/2011	12/31/2011	0	0	0

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

<https://ai.fmcsa.dot.gov/CrashStatistics/Default.aspx?enc=Vrcg+nObgO6myAbh1r0RFBWtMH9Pk+Cp0wg1L6OZ7zc%3d>

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

Since FY2009 Maine has averaged less than 1 fatality as a result of a bus crash per year. We are unable to reduce that number any further. Maine had one bus fatality in 2013.

In an effort to maintain our low fatality rate, Maine has increased motor coach inspections, and plans to increase further the number of motor coach inspections performed by increasing organized inspection details at locations across the state that see a large amount of motor coach traffic. We have purchased an additional set of inspection ramps, and are currently seeking training through the FMCSA NTC for all of our personnel.



**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:** N/A

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	0	0	0
01/01/2013	12/31/2013	0	0	0
01/01/2012	12/31/2012	0	0	0
01/01/2011	12/31/2011	0	0	0

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

<https://ai.fmcsa.dot.gov/CrashStatistics/rptHazmat.aspx?rpt=HMPL>

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

Since 2011, Maine has not had a fatality resulting from the release of hazardous materials due to a crash.

**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		
10/01/2014	09/30/2015	714	799
10/01/2013	09/05/2014	575	638
10/01/2012	09/30/2013	877	956
10/01/2011	09/30/2012	1314	1558
10/01/2010	09/30/2011	1577	1937

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

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

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

<https://ai.fmcsa.dot.gov/SafetyProgram/spRptRoadside.aspx?rpt=TEAS>

**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:**

Maine will continue to conduct corporate and industry outreach as needed through out the coming year. We work with industry and other local and federal partners to provide the highest quality service. We strive to offer education as an early alternative to strict enforcement. We will continue to work with the Maine Motor Transport Association to answer requests from their members and for other businesses that have questions and concerns.

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

Maine will conduct at least 4 speaking engagements per quarter. These will include topics of: Hours of service, load securement, hazardous materials transportation, pre-post trip inspection importance and general regulation review

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

During FY2015 Maine conducted over 345 hours of speaking engagements geared towards motor carrier safety and regulations. Exceeding the goal established in FY2015's CVSP. Outreach and education was provided to high schools, driving/tech schools, the professional loggers association, contractors, bulk petroleum carriers, general freight and hazardous materials carriers, and others who requested the service.

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

N/A

## 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.**

Maine recognizes the need for zero fatalities and the reduction in crashes overall. Balancing that need with Maine's low crash rate, we have decided to try and influence the problem by dealing with distracted drivers. In the past few months there have been at least four fatal collisions involving CMV's and passenger vehicles. In every case the CMV was in it's lane and not in violation, when it was struck either head-on or sideswiped by an inattentive motorist. Maine has done a historical look back upon crashes since 2008 in Maine's Crash Reporting System. As a result it was determined that approximately 40% of all crashes in Maine have been coded as driver inattention as either a primary or secondary cause. Also at least 10% of the fatal crashes list some sort of distraction as a contributing factor. Maine has applied for a High Priority Grant funding to address the specific issue of distracted driving. The commercial vehicle unit will conduct enforcement details to include: overpass operations, putting Troopers in trucks to observe unsafe operations and call them out to other Troopers and using unmarked non-traditional vehicles in our enforcement. We will be coordinating efforts to ensure there is a consistent message and educational portion be pushed out through Public service announcements and through driver's training venues Maine will also strive to reduce the rate of overall crashes by 4 %. Maine recognizes the need for zero fatalities and the reduction in crashes overall. Balancing that need with Maine's low crash rate, we have decided to try and influence the problem by dealing with distracted drivers. Through the High Priority Grant funding, Maine was able to conduct 1592 hours of distracted driving details during FY 15. These details resulted in 3289 vehicle stops. Summonses were issued to the operators of passenger vehicles for the following: Texting-459 Seat belt-532 Distracted driving-64 Other-1053 Although the focus of the details was the behavior of passenger vehicles operating around CMVs, the following summonses were issued to CMV operators: Texting-2 Handheld-71 Seatbelt-69 Other-48 Additionally, 170 MCSAP inspections were conducted. Crashes were reduced by 1%, and fatal crashes involving CMVs remained steady at 13 Maine's High Priority Grant request was submitted over one year ago, but no word has been received on any award. Should an award be granted, details will resume with the goal of reducing the incidents involving dangerous driving around large trucks and buses through additional enforcement activities.

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

4% crash reduction, reduce fatal crashes by 2

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

We have conducted numerous enforcement details and completed our Public Service Announcements. Results from FY 15 are outlined above.

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

We have completed our PSA's. In retrospect, we had hoped to have them out before Distracted Driving Awareness Month, but were unable to make that goal. This was due to production times and other issues that were beyond our control.

## 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:**

In CY2015 Maine saw a rise in CMV crashes and fatalities from CY2014. Fatalities increased from 13 in CY2014 to 14 in CY2015. Crashes rose from 808 to 881. Any increase in unacceptable.

Maine has researched the root cause of the increase in fatalities and determined that the primary cause in the majority of these collision was distraction. In the most cases a non-cmv driver was distracted and struck the CMV killing the non-cmv driver or a passenger in the non-cmv.

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

#### **Enter Data Source:**

<https://ai.fmcsa.dot.gov/CrashStatistics/rptSummary.aspx>

#### **Enter Crash Reduction Goal**

To reduce CMV involved fatalities from 13 to 10. Thus far in FY 16, we have had 4 fatalities involving CMVs

**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.**

Maine's MCSAP funding is utilized for the salaries of the (6) non-sworn motor carrier inspectors. These inspectors are tasked with conducting Compliance Reviews . They spend approximately 90% of their time on these tasks and the remainder on inspections, crash investigations and educational outreach.

Their primary focus is on Intrastate carriers. Maine assigns carriers who have an alert in the Basics, come to the attention of the unit during roadside inspections or through complaints to the office.

**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.**

Maine will monitor the number of crashes and our investigative efforts to effect the safe operation of companies that we determine to be at risk or at a higher risk. And assign compliance reviews as appropriate.

If we determine these efforts are not effective then we will reevaluate the efforts and adjust them as needed.

**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:**

<https://ai.fmcsa.dot.gov/sqcvsp/stateDashboard.aspx?state=ME>

**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.**

Maine has continued to keep its SSDQ rating at the highest levels.

**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.**

Maine will continue to monitor all data elements to ensure that we maintain a "green" or good rating.

**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.**

Maine will continue to audit and evaluate our data submitted. We currently are working on reducing the amount of VIN errors. However, there seems to be a program flaw that shows errors in VIN's that are correct. Example a 1970 truck doesn't have a 17 character VIN and will come back as an incorrect number when it is in fact the correct VIN.



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**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..**

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

75

**Performance Objective: Enter performance objective(s).**

Recent FMCSA data shows Maine to have an OOS order catch rate of <85%. Maine had four OOS carriers identified, and placed three OOS in 2015. In 2016, we have had no OOS. Maine will attempt to meet the 85% catch rate requested by FMCSA.

**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 Objectives 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 Effective Data Collection and Reporting (complete activities in the CMV Safety Program Objectives section 2)**

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

CVEU personnel, when conducting inspections, are trained to utilize CVIEW to check the status of the operating authority of the motor carrier during the inspection. The only limitation to this check is the occasional connectivity issue, where information may not be readily available.

**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.**

Maine will review our data monthly to ensure that we are complying with the requested 85% catch rate. We will identify any issues we have and take the appropriate steps to address them to include training, technology and educating our inspectors.

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**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.**

Passenger Carrier CR's

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

Maine recognizes the threat to safety that is posed by unsafe passenger carrier operations. With that in mind Maine will attempt to complete Compliance Reviews on all of Maine's Intrastate passenger carriers by the end of this FY2016 cycle. Additionally, Maine will increase roadside inspections on both intra- and interstate passenger carriers. We have purchased additional equipment, increased the number of organized details specifically for passenger carrying vehicles, and are seeking motor coach certification for all personnel.

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

100 % audit of intrastate passenger carriers. Develop proactive positive relationships with passenger carrying motor carriers in an effort to increase compliance to FMCSRs and prevent crashes, injuries, and deaths. Conduct a minimum of 8 organized passenger carrier roadside/terminal inspection details in FY17

**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).**

See Section 4

**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.**

## 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.**

Maine's roadside inspection program conducts both roadside and fixed point inspections. Due to our manpower and large geographical areas, we vary our methods to provide for the best coverage. Inspectors work primarily during the day when most of the CMV traffic is active. However, we do vary our schedules to address specific issues as they are identified.

Maine hopes to increase MCSAP inspections in high crash areas as well as during off hours and in some of the more remote areas of the state by leveraging 15% of our MCSAP award as overtime funds. Utilizing funds in this manner will allow sworn personnel to focus on problem areas in their patrol areas that otherwise would prove difficult due to manpower and scheduling issues. This request is currently pending review by FMCSA.

#### 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:** MAINE STATE POLICE

**Enter the total number of certified officers in the Lead agency:** 32

FY 2017 Driver/Vehicle Inspection Goals					
	Estimated Performance Goal				
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1	2000	400	40	2440	30.01%
Level 2	2600	300	20	2920	35.92%
Level 3	2700	0	20	2720	33.46%
Level 4				0	0.00%
Level 5			50	50	0.62%
Level 6				0	0.00%
<b>Sub-Total Lead Agency</b>	<b>7300</b>	<b>700</b>	<b>130</b>	<b>8130</b>	

**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	%
<b>Sub-Total Funded Agencies</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

**Non-Funded Agencies**

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

**Summary**

Total FY 2017 Driver/Vehicle Inspection Goals For Lead, Funded and Non-Funded Agencies					
<b>MCSAP Lead Agency: MAINE STATE POLICE</b>					
<b># certified officers: 32</b>					
<b>Funded Agencies:</b>					
<b># certified officers: 0</b>					
<b>Number of Non-Funded Agencies:</b>					
<b># certified officers:</b>					
	Estimated Performance Goal				
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1	2000	400	40	2440	30.01%
Level 2	2600	300	20	2920	35.92%
Level 3	2700	0	20	2720	33.46%
Level 4				0	0.00%
Level 5			50	50	0.62%
Level 6				0	0.00%
<b>Total ALL Agencies</b>	<b>7300</b>	<b>700</b>	<b>130</b>	<b>8130</b>	

**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.*

Maine's Commercial Vehicle Enforcement Unit does not conduct CMV traffic stops without a resulting Inspection report. Also Non-CMV traffic stops are not accounted for MCSAP purposes or on any time that could be attributed to MCSAP.

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	800
<input type="radio"/>	<input checked="" type="radio"/>	CMV without Inspection	0
<input type="radio"/>	<input checked="" type="radio"/>	Non-CMV	
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	15

**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.**

In FY2017 we shall strive to equal those results with 800 CMV traffic stops and 800 violations cited. These shall be in areas identified has higher crash locations with an emphasis on areas with a high traffic count.

**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**

We have 6 full time inspectors primarily focusing their compliance reviews on intrastate passenger companies and intrastate companies with D/A, HOS, Maintenance issues or with other alerts. In FY15's CVSP we set a goal of 48 total interventions/investigations. We completed 40 intra-state and 23 inter-state reviews, for a total of 63 interventions/investigations. Of the 63 investigations, 19 were hazmat carriers. In FY2016 as of the date of this writing, we have completed 51 reviews. 34 have been intra-state and 17 are inter-state carriers. 17 of these carriers have been hazmat carriers. 9 have been passenger carriers. For FY 17, our goal is at least 50 reviews, with approximately six interstate and 45 intrastate carriers. At least 18 of the reviews will be comprehensive.

**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.**

**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).**

Compliance Reviews are assigned to Maine Motor Carriers Inspectors through the FMCSA portal by the Motor Carrier Supervisor. After the assignments are made, the inspectors' case progress and case load is monitored by the Motor Carrier Supervisor. Prior to any case closure and/or any prosecution, the Motor Carrier Inspectors are required to have the case review by the Motor Carrier Supervisor, who then forwards the case to the state's FMCSA office for approval and upload.

**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
<b>Rated and Non-rated Reviews (Excludes CSA &amp; SCRs)</b>		
Non-HM Cargo		25
Passenger		10
HM		10
<b>Rated and Non-rated Reviews (Excludes CSA &amp; SCRs) Total</b>	<b>0</b>	<b>45</b>
<b>CSA Off-Site Investigations</b>		
Non-HM Cargo CSA Off-Site	0	0
Passenger CSA Off-Site	0	0
HM CSA Off-Site	0	0
<b>CSA Off-Site Investigations Sub-total</b>	<b>0</b>	<b>0</b>
<b>CSA On-Site Focused Investigations</b>		
Non-HM Cargo CSA On-Site Focused	2	0
Passenger CSA On-Site Focused	2	0
HM CSA On-Site Focused	2	0
<b>CSA On-Site Focused Investigations Sub-total</b>	<b>6</b>	<b>0</b>
<b>CSA On-Site Comprehensive</b>		
Non-HM Cargo CSA On-Site Comprehensive	0	0
Passenger CSA On-Site Comprehensive	0	0
HM CSA On-Site Comprehensive	0	0
<b>CSA On-Site Comprehensive Sub-total</b>	<b>0</b>	<b>0</b>
<b>CSA Investigations (all Types) Total</b>	<b>6</b>	<b>0</b>
<b>HM-Related Review Types</b>		
Security Contact Reviews (SCRs)	0	0
Cargo Tank Facility Reviews	0	0
Shipper Reviews	0	0
<b>HM-Related Review Types Total</b>	<b>0</b>	<b>0</b>
<b>ALL REVIEW TYPES GRAND TOTAL</b>	<b>6</b>	<b>45</b>

**Add additional information as necessary to describe the carrier investigation estimates:**  
 Maine will strive to complete at least 50 CR's during this period.

**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.:**

Maine will conduct corporate outreach through out FY2016. We will meet with motor carriers for safety talks, meet with Maine Motor Transport Association for their Safety Management Council meetings and will provide Troopers to the many outreach events that we are requested to attend.

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	20
<input type="radio"/>	<input checked="" type="radio"/>	CMV Safety Belt Education and Outreach	
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	6
<input checked="" type="radio"/>	<input type="radio"/>	State-sponsored outreach events	10
<input checked="" type="radio"/>	<input type="radio"/>	Local educational safety events	10
<input checked="" type="radio"/>	<input type="radio"/>	Teen safety events	10

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

Maine is working collaboratively with Maine Motor Transportation Association as well as private motor carriers to develop and implement a training program to teach young drivers of the dangers associated with operating around large trucks and buses. This will be a hands on approach utilizing Troopers, truck drivers, schools, driver education providers, and MMTA. This plan is nearing finalization with the hope of statewide implementation during FY 17.

Maine intends to train all personnel in human trafficking during FY 17. Trainers have been scheduled for late October to provide awareness training to both sworn and civilian personnel. Personnel will not only have increased awareness to detect possible criminal activity in this area while conducting daily enforcement/inspection activities, but will also be able to share awareness with industry in the form of outreach and distribution of educational materials provided by the trainers. MCSAP funding will be used to facilitate the travel, lodging and meals for the training in this important topic.

Maine will continue to provide "hands on" type educational events with motor carriers upon request. Troopers typically visit a company to speak on safety related topics, and to provide demonstrations on how to perform a pre trip inspection as well as to share with drivers and company officials what to expect at a roadside inspection. These events have been very popular in past years, and many companies request them annually. They serve to remove the barriers and preconceived notions of what enforcement officials do during roadside inspections. The Troopers get a chance to be seen as "real people" and positive relationships have developed as a result.

**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):**

Maine will monitor and report on the number, type and amount of attendees quarterly as we strive to meet this goal. And topics covered during this period.



## 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:**

Maine Department of Public Safety- Maine State Police

**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.**

#### **I. Program Overview**

**Goal:** *Assist in accomplishing the Federal Motor Carrier Safety Administration (FMCSA) goal of reducing the number of crashes and fatalities involving large trucks and commercial buses.*

##### **¿ Objective 1: Processing and completing safety audits within the statutory time limits:**

*Entry date into the New Entrant program (as show 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 show 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.*

##### **¿ Objective 2: Developing and implementing innovative methods to streamline the safety audit process to reduce costs and improve the efficiency of the new entrant program within the State that are in addition to the FMCSA national offsite safety audit initiative that will begin deploying in 2015.**

#### **I. Program Strategies**

Brief Introduction:

**The Maine State Police proposes to conduct 185 New Entrant Safety Audits within the established time frame utilizing 2 three-quarter time employees and 3 'as needed' employees. The Maine State Police has just completed the training to implement the new Off-site Safety Audit program. These New Entrant program will be supervised by the Motor Carrier Supervisor monitoring the program.**

**Problem Statement:**

**The Maine State Police had provided the necessary personnel handle the increase in numbers of New Entrant Safety Audits to cover all the carriers within the State of Maine, allowing the FMCSA office in Maine to concentrate on the Canadian provinces.**

**Performance Objectives:**

**The Maine State Police under the current staffing and funding has completed 158 Onsite Safety Audits on carriers within the State of Maine during the past 12 months. Maine State Police has completed all of the assigned Safety Audits within the assigned time frame.**

**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.**

**Maine State Police will be dedicating 2 three-quarter time inspectors and 3 'as needed' inspectors doing part-time New Entrant Safety Audits to maintain the level of completion we have maintain over the years. The Maine State Police as just entered into the Offsite Safety Audit program; we are projecting that 50% will remain as Onsite SA's, 30% will be Offsite SA's and the remaining 20% will be Refusal, Inactivation or Change of Status.**

**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.**

The Maine State Police New Entrant program will be supervised by the Motor Carrier Supervisor for quality, completeness and accuracy in conjunction with Maine's FMCSA office. This Supervisor will also work with the FMCSA to evaluate the new Offsite SA program, as well work to expand the program.

If the FMCSA begins to allow intra-state safety audits, Maine will implement a plan to conduct these.

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

<b>Summary of Anticipated Activities</b>		
<b>Number of Safety Audits/Non-Audit Resolutions</b>	<b>Interstate</b>	<b>Intrastate</b>
# of Safety Audits (Onsite)	30	0
# of Safety Audits (Offsite)	155	0
<b>TOTAL Safety Audits</b>	<b>185</b>	<b>0</b>
# of Non-Audit Resolutions	35	0

## Border Enforcement

### 1 - Border Enforcement Focus Area

#### Instructions:

*The FAST Act consolidated several FMCSA grant programs. Border related activities, which previously were a separate FMCSA grant program, are now a component of the MCSAP grant. The FAST Act states that in the case of a State that shares a land border with another country, the State will conduct a border commercial motor vehicle safety program focusing on international commerce that includes enforcement and related projects. If a State sharing a land border with another country declines to participate in border related activities, it will forfeit all border enforcement funds the State may be eligible to receive.*

**Objectives:** *In addition to the primary goal of the program as stated below, a State must identify at least one of the following priority objectives as a focus within their border enforcement program in order to be considered for full participation within this focus area.*

**Goal:** *For States to conduct a border CMV safety program focusing on international commerce that includes enforcement and related projects, to ensure that motor carriers and drivers operating CMVs primarily those entering the United States from a foreign country are in compliance with U.S. CMV safety standards and regulations, financial responsibility regulations, registration requirements, and that the drivers of those vehicles are qualified and properly licensed to operate a CMV in the United States.*

**Your State is assumed to be participating in border related activities in Fiscal Year 2017. If your State is not participating, please check the box.**

#### **Enter Border Enforcement Agency:**

Maine Department of Public Safety- Bureau of State Police

#### **Check all objectives that apply (minimum of 1):**

**Objective 1: International Motorcoach Inspections** - Facilitate the conduct of inspections of motorcoaches engaged in international commerce at bus stations, terminals, border crossings, maintenance facilities, destination locations or other locations where a motor carrier may make a planned stop (excluding a weigh station). For FY 2017, FMCSA encourages States to examine their data on international motorcoach activity and to use that data to establish reasonable goals that will result in an appropriate level of motorcoach-focused activities. States must justify the goals set and provide the data or data source references.

**Objective 2: High Crash Corridor Enforcement Focused on International Commerce** - Conduct international commerce CMV enforcement activities (inspections and traffic enforcement) within corridors where the data indicate that there are a high number of crashes involving vehicles engaged in international commerce.

**Objective 3: International Commerce CMV Inspections at Remote Border Sites Away from Border Crossings** - Conduct international commerce CMV safety inspections at identified sites where known international commerce activity occurs near the Canadian and Mexican borders but where there is no official border crossing facility. Site(s) must be identified in the narrative below and describe how far these locations are from the nearest official border crossing facility, if any.

**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.

### Statement of Problem

The Maine State Police, Troop K - Commercial Vehicle Enforcement currently has the following staffing levels; (1) Lieutenant, (3) Sergeants, 3 Corporals, (21) Troopers, (1) Motor Carrier Supervisor, and (6) Motor Carrier Inspectors. All personnel have assigned vehicles and commercial vehicle

inspection equipment. Sworn personnel are fully equipped and have appropriately marked and unmarked emergency vehicles that can be used as a platform for remote Troop K operations.

The State of Maine has several major routes running from the Canadian provinces of Quebec and New Brunswick through Maine to the entire eastern seaboard down the Interstate 95 Corridor. Maine has over 3,200 miles of seacoast and a large land border with Canada. At 611 miles, Maine has the second longest international border of any northern state (second only to Michigan). There are currently thirteen (13) 24-hour Ports of Entry and ten (10) Ports of Entry that are open less than 24-hours. Calais, Maine has the sixth busiest land port on the northern border with a new border facility conducive for CMV inspections. Maine is a very large state, characterized by large rural areas. The transportation infrastructure is such that in-bound international traffic is focused on a few major arteries, and tends to be "funneled" as it enters and exits the southern border of the state. An example of the expanse of Maine is the fact that the northern-most county (Aroostook) is larger than Connecticut and Rhode Island combined.

In addition to these land ports, Maine has international seaports located in; Portland Harbor, Bar Harbor, Searsport, Bucksport, Rockland and Eastport. Portland Harbor is the second largest oil port on the east coast and is expanding international intermodal shipments. Maine also serves as the primary conduit for container traffic from the huge port of Halifax, Nova Scotia to both the United States and Canada.

The Ports of Entry along the Canadian border service approximately 700,000 in-bound commercial vehicles a year. Previous Maine Department of Transportation (MDOT) data showed that an estimated 1.5 million Commercial Vehicles travel south out of Maine annually. It is expected that this number will consistently increase at least 5% per year based upon MDOT projections. Competing interests and demands for enforcement resources do not allow for focused attention specifically on international commercial vehicle traffic. In order to increase the number of CMV/ CDL / HM / operating authority, out of service order and financial responsibility checks on international traffic, Maine State Police commercial vehicle enforcement personnel must increase the time focused on this problem. This can only be accomplished by using existing trained and certified resources for overtime details.

With recent BEG reallocation to the southwest border, it should be noted that the vast majority of the inbound traffic along the Mexican border is restricted to the "commercial zone". Those companies and drivers have already been screened prior to being permitted to enter the United States, and show an extremely low out of service rate. And the miles traveled into the heartland of the United States is minimal

Conversely, International CMV traffic entering the United States from Canada is not subject to these stringent prescreening requirements, and poses a much larger potential safety and homeland security threat. Therefore, the BEG program plays a much larger role in detecting driver and vehicle violations on CMV's that cross our border with Canada, and travel unrestricted to the entire United States, not just within a "commercial zone" along the border.

This is our 11th application within this program. To date, we have conducted over **72,000** additional inspections since our initial participation in August 2005, with **approximately 36,000** having been international shipments. Despite conducting 31,605 Level 1 BEG inspections since 2005, we have found the Level 2 inspection (39,522 since 2005) to be just as effective in satisfying the elements of this grant. As part of the goals of the 2013 BEG grant, level 3 inspections with load inspections and hazardous material load verifications were included. The number of inspections from the start of the 2013 BEG to present for level 3 inspections is 1,852. 3858 of the completed Level 1's were also qualifying HM inspections. As of July 31, 2016 we have completed 218 Hazardous Material inspections. Within this program to date we have discovered **1524** Disqualified Drivers, and put a total of **6012** Drivers out of service. **10,948** vehicles have been placed out of service thus far with **114951** total violations discovered.

## Goals

The State Police Commercial Vehicle Enforcement Unit seeks to increase the number of international inspections of commercial vehicles to and from Canada. As evidenced by the attached report, this will reduce the number of unsafe/unqualified drivers and/or unsafe vehicles crossing Maine's international border. These inspections will take place Sunday through Friday between the hours of 6:00AM and 11:00PM. This time frame is based upon data collected from US Customs and Border Protection and Maine State Police data showing high influxes of International Commercial Traffic.

Our goal also would be to conduct an additional 3,000 inspections during this period. The majority being Level 2's with the remainder being Level 1's or 3's if necessary. All Level 3 inspections would be conducted by certified inspectors, and any Level 3 inspection would include a load inspection and Hazmat verification. The majority of all inspections will be on international (destination/origin) traffic with a projected expectation of greater than 50%.

**In FY2016 to date, >50% of Maine's BEG inspections have been international inspections.**

## STRATEGIES

- To schedule overtime details along corridors known for international commercial vehicle traffic.
- The only foreseeable impediment to the successful completion of this program objective is the current cap of 15 % of our MSCAP award to be utilized toward overtime activities. We have requested a waiver on this limit and are currently awaiting a decision. Since the inception of Border Enforcement activities, Maine has utilized grant award monies to conduct inspections on an overtime basis for our personnel. This allows us great flexibility on scheduling details at the most efficient time/locations.
- With the current 15% CAP, Maine would be limited to approximately \$281,353 of overtime activities to be divided among our BEG, NEG, and MCSAP overtime activities. With a BEG award of \$336,433, the 15% cap is problematic in our plan to maintain our high

standard of productivity in BEG activities. Should our request for a waiver on the 15% cap be denied, we will be forced to re-evaluate the manner in which we conduct our BEG activities. Overtime details will certainly be reduced, and we may have to implement BEG activities on regular shift, which would have an impact on other MCSAP activities.

**Activity Plan: A description of the activities the applicant believes will help mitigate the problem. Include an estimate of the number of group audits planned.**

- To establish numerous safety details at the border, and along international traffic corridors frequented by Commercial Vehicles.
- To increase cooperation, communication and information sharing with US Customs and Border Protection and the Federal Motor Carrier Safety Administration by including them in the planning and operational phase of these details.
- To conduct **3,000** MCSAP inspections focusing on international commercial vehicle traffic both along the border and along common routes through visible, proactive enforcement.
- To complete 20 inspections at/around the POE locations and common routes of travel on Motor Coaches.
- To attempt to conduct 200 roadside inspections on Hazardous Material carriers as part of any Hazardous Materials verification.
- To utilize BEG funding to augment the annual Road Check detail by conducting BEG details during the off duty time of enforcement personnel. Funding will be used to pay overtime salary (and associated personnel costs), as well as lodging and per diem costs for the details.
- To ensure that all vehicles inspected are checked for Federal out of Service order compliance.
- To ensure that all vehicles inspected are checked for valid UCR.

**Performance Measurement Plan: A description of how the applicant will measure progress towards the performance objective goal, such as quantifiable and measureable outputs (hours, carrier contacts, inspections, etc.) and in terms of performance outcomes. The measure must include specific benchmarks that can be reported on in the quarterly progress report, if practicable, or as annual outcomes.**

We will prepare a detail summary sheet to be completed for each enforcement detail. We will assign a person to monitor the detail statistics and compile data. Program evaluation will be performed on an on-going basis and reporting will be done on a quarterly basis. This reporting will include an analysis of program effectiveness and quantitative results.

***Critical Information Table: The following Critical Information Table is provided below for your use to summarize the anticipated border enforcement activities. All non-international commerce inspections conducted should be included in the Basic and Incentive focus area of the CVSP and should not be indicated as BEG inspections on the inspection report which is uploaded into ASPEN.***

<b>Anticipated Summary of Activities</b>	
Number of International Commerce Regular CMV	2500
Number of International Commerce HM	480
Number of International Commerce Passenger	20
<b>Total International Commerce Inspections</b>	<b>3000</b>
Number of Fixed Facility International Inspections	2500
Number of non-Fixed Facility International Inspections	500

## 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): \$281,353.00

- Your overtime costs have exceeded the 15% limit. If you have not already included a justification to exceed the limit, a justification must be included in the Personnel section of the affected Spending Plan(s).

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
Motor Carrier Inspectors	6	50	2080	\$19.58	\$122,179.20	\$122,179.20	\$0.00	\$0.00
Motor Carrier Supervisor	1	50	2080	\$22.21	\$23,098.40	\$23,098.40	\$0.00	\$0.00
DPS Mechanic	1	100	2080	\$19.52	\$40,601.60	\$40,601.60	\$0.00	\$0.00
<b>Sub-Total Salary</b>					<b>\$185,879.20</b>	<b>\$185,879.20</b>	<b>\$0.00</b>	<b>\$0.00</b>
Overtime Information								
Overtime	8	100	550	\$45.33	\$199,452.00	\$199,452.00	\$0.00	\$0.00
<b>Sub-Total Overtime</b>					<b>\$199,452.00</b>	<b>\$199,452.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>TOTAL PERSONNEL</b>					<b>\$385,331.20</b>	<b>\$385,331.20</b>	<b>\$0.00</b>	<b>\$0.00</b>

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

The average unburdened rate of pay for the six Motor Carrier Inspectors per hour is \$19.58 at 50% of the time is allocated to the FY17 MCSAP grant-  $\$19.58 \times 1040 \text{ hours} = \$20,363.20 \times 6 = \$122,179.20$

The average unburdened rate of pay for the Motor Carrier Supervisor per hour is \$22.21 at 50% of the time is allocated to the FY17 MCSAP grant-  $\$22.21 \times 1040 \text{ hours} = \$23,098.40$ .

The average unburdened rate of pay for a DPS Mechanic per hour is \$19.52 at 100% of the time is allocated to he FY17 MCSAP grant-  $\$19.52 \times 2080 \text{ hours} = \$40,601.60$ . This individual will be spending 100% of his time making necessary repairs and installations of equipment to Troop K vehicles.

Eight individuals of the Commercial Vehicle Unit, Troop K will be conducting 550 hours of overtime details at the regular pay of \$45.33 per hour=  $8 \times \$45.33 = \$362.64 \times 550 = \$199,452.00$ .

Added line showing 15% to create needed eligible costs and match associated with Regular and OT salaries.

See Step 7 for State Share line (per Randy Sechrist)

**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
Overtime	100	\$81,488.00	\$81,488.00	\$81,488.00	\$0.00	\$0.00
Motor Carrier Inspectors	100	\$86,923.20	\$86,923.20	\$86,923.20	\$0.00	\$0.00
Motor Carrier Supervisor	100	\$8,008.00	\$8,008.00	\$8,008.00	\$0.00	\$0.00
DPS Mechanic	100	\$29,411.20	\$29,411.20	\$29,411.20	\$0.00	\$0.00
<b>Sub-Total Fringe Benefits</b>			<b>\$205,830.40</b>	<b>\$205,830.40</b>	<b>\$0.00</b>	<b>\$0.00</b>

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

Fringe benefits are calculated as a percent of the base salary. Fringe benefits include payroll expenses such as medicare, life insurance, retirement, health insurance, dental insurance and worker's comp. Medicare is 1.5% of the annual salary; Life insurance is calculated at a rate of approximately .35 cents per thousand rounded to the next highest thousand of the annual salary; Retirement is 38.82% of the annual salary; Health insurance is between \$352 (single plan) and \$750 (family plan) per 24 pay periods; Dental insurance is \$13.13 per 24 pay periods and Worker's Comp is \$70 per 24 pay periods.

The Commercial Vehicle Unit, Troop K individuals will be conducting 550 hours of overtime details at the hourly fringe benefit rate of \$18.52 an hour=  $\$18.52 \times 550$  OT hours=  $\$10,186.00 \times 8$ = \$81,488.00.

The Motor Carrier Inspectors average hourly fringe benefit rate is  $\$13.93 \times 1040$  hours=  $\$14,487.20 \times 6$ = \$86,923.20.

The Motor Carrier Supervisor's average hourly fringe benefit rate is  $\$7.70 \times 1040$  hours= \$8,008.00.

The DPS Mechanics average hourly fringe benefit rate is  $\$14.14 \times 2080$  hours= \$29,411.20

See Step 7 for State Share line (per Randy Sechrist)

**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
CVSA Conferences	9	5	\$45,000.00	\$45,000.00	\$0.00	\$0.00
MCSAP Planning Meeting	4	5	\$8,000.00	\$8,000.00	\$0.00	\$0.00
CMV Training	15	5	\$76,000.00	\$76,000.00	\$0.00	\$0.00
Grant Management Training	3		\$6,000.00	\$6,000.00	\$0.00	\$0.00
<b>Sub-Total Travel</b>			<b>\$135,000.00</b>	<b>\$135,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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

Nine (9) Motor Carrier Inspectors will attend CVSA conferences- four will attend CVSA, three will attend NAI and two will attend COMED. The average cost for lodging, meals, incidentals and air fare is approximately \$5,000 per conference for a total of \$45,000.

Four Motor Carrier Inspectors will attend te MCSA Planning Meetings. The average cost for lodging, meals, incidentals and air fare is approximate \$2,000 per conference for a total of \$8,000.

Fifteen Comercial Vehicle employees will attend FMCSA training i.e. General HazMats, Passenger Carrier Cargo Tank- Part A an Part B. The average cost is appoximatey \$15,000 for General HazMats, \$20,000 for the three two week Part A and B training and \$41,000 for th eight cargo tank training courses for a total of \$76,000.

Three (3) individuals (LT of Troop K, MSP Contract/Grant Specialist and one Financial Analyst) will attend the yearly Grant Management Training Course. The average cost for lodging, meals, incidentals and air fare is approximately \$6,000.

All grant training is FMCSA related.

See Step 7 for State Share line (per Randy Sechrist)

**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
Crash Reconstruction Equipment	1	\$30,000.00	\$30,000.00	\$30,000.00	\$0.00	\$0.00
Vehicles	5	\$30,000.00	\$150,000.00	\$150,000.00	\$0.00	\$0.00
Watch Guard In-Cruiser Video Cameras	12	\$5,300.00	\$63,600.00	\$63,600.00	\$0.00	\$0.00
<b>Sub-Total Equipment</b>			<b>\$243,600.00</b>	<b>\$243,600.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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

Equipment to be purchased:

The Crash Reconstruction Equipment Station is a precise laser method of mapping crash scenes or vehicle damage profiles. This equipment will be used to assist with commercial vehicle crash investigations and reconstruction of each case. The crash reconstruction equipment stations will be assigned to the MCSAP Officers.

The State of Maine requests five vehicles (to be used by the Motor Carrier Inspectors/Supervisor and two SUV vehicles (to be used by Maine State Troopers in Troop K) will be purchased for the Commercial Vehicle Unit, Troop K. The vehicles will be used by the Motor Carrier Inspectors, Motor Carrier Supervisor and Maine State Troopers to assist in conducting Commercial Vehicle Inspections. The cost for the purchasing of the vehicle is based on the States current Delivery Order contract.

Twelve (12) Watch Guard In Cruiser Video cameras will be used in the MSP-CVEU patrol vehicles. The cameras will be used for documentation/evidentiary purposes during roadside MCSAP enforcement functions.

The CVEU unit consists of 41 members, but only 7 of these are funded (50%) by the MCSAP grant. The Watch Guard cameras are installed in all of the sworn members' vehicles.

See Step 7 for State Share line (per Randy Sechrist)

**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
FMCSA Handbook (MC & HM)	50	each	\$150.00	\$7,500.00	\$7,500.00	\$0.00	\$0.00
Title 29A Motor Vehicle Statutes	45	each	\$26.00	\$1,170.00	\$1,170.00	\$0.00	\$0.00
LEOSR Manuals	50	each	\$25.34	\$1,267.00	\$1,267.00	\$0.00	\$0.00
CVSA OOSC	48	each	\$35.00	\$1,680.00	\$1,680.00	\$0.00	\$0.00
Stalker Radars	12	each	\$3,000.00	\$36,000.00	\$36,000.00	\$0.00	\$0.00
Tools for Inspections	25	each	\$1,899.00	\$47,475.00	\$47,475.00	\$0.00	\$0.00
Consoles	5	each	\$500.00	\$2,500.00	\$2,500.00	\$0.00	\$0.00
Uniforms	20	each	\$1,435.00	\$28,700.00	\$28,700.00	\$0.00	\$0.00
<b>Sub-Total Supplies</b>				<b>\$126,292.00</b>	<b>\$126,292.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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

All materials listed below are provided to the entire MCSAP officers of the Commercial Motor Vehicle Enforcement Unit (CVEU) Maine State Police - Troop K. This unit is comprised of six Motor Carrier Inspectors, one Motor Carrier Inspector Supervisor, one State Police Lieutenant, three Sergeants, three Corporals and twenty-seven Troopers. In addition, the hand books and manuals are provided to the District Attorney's and Judges who prosecute the cases as Troop K 42 x 2 fed reg and hazmat.

50- FMCSA Handbooks (MC & HM)- total \$7,500.00  
 45 Title 29A Motor Vehicle Statues- total of \$1,170.00  
 50- LEOSR Manuals- total of \$1,267.00

50- CVSA- Out-of Service Criteria manuals/handbooks- total of \$1,750.00

Twelve (12) Stalker Radars and accessories-will be used in the MSP-CVEU patrol vehicles to assist in commercial vehicle enforcement. This equipment is purchased for sworn members (36) in addition to the 7 MCSAP funded inspectors. **The stalker radars will be dedicated 100% to MCSAP activities.**

CVC Tools to assist with the commercial vehicle inspections for accurate readings in hazardous locations.This equipment is purchased for sworn members (36) in addition to the 7 MCSAP funded inspectors.

Five (5) Consoles - console utility box used in our cruisers to harness the wiring of our computers, printers, etc.

Purchase 20 sets of uniforms and accessories for the Commercial Vehicle Motor Carrier Unit

Equipment and supplies purchased under this grant will be utilized by the entire compliment of the Troop, which includes 41 members, both sworn Troopers and civilian Inspectors.

See Step 7 for State Share line (per Randy Sechrist)

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**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.*

<b>Contractual Cost Spending Plan Narrative</b>				
Description of Services	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Lease of Computer equipment and accessories	\$132,000.00	\$132,000.00	\$0.00	\$0.00
<b>Sub-Total Contractual</b>	<b>\$132,000.00</b>	<b>\$132,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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

The Maine State Police, Troop K currently leases mobile data computers and pays wireless service fees to maintain that connection for the wireless transfer of roadside inspection and crash data. Having real-time capability in all vehicles maintains the timely transfer of all vital crash and CMV inspection data.

The budget for this project is derived from the current contract the Maine State Police as in place for mobile data computers, wireless modems and wireless connectivity. The Unit charge for a mobile data computer and wireless modem is \$275 a month.

The mobile data computer with a wireless modem costs approximately \$11,000 a month x 12 months=\$132,000

See Step 7 for State Share line (per Randy Sechrist)

**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	\$18,075.00	\$18,075.00	\$0.00	\$0.00

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
Conference Registration Fees	10		\$550.00	\$5,500.00	\$5,500.00	\$0.00	\$0.00
CVSA Decals	4162	each	\$0.28	\$1,165.36	\$1,165.36	\$0.00	\$0.00
State Share Calculation	1		\$221,081.11	\$221,081.11	\$0.00	\$221,081.11	\$0.00
MOE	1		\$3,323,204.93	\$3,323,204.93	\$0.00	\$0.00	\$3,323,204.93
<b>Sub-Total Other Costs</b>				<b>\$3,550,951.40</b>	<b>\$6,665.36</b>	<b>\$221,081.11</b>	<b>\$3,323,204.93</b>

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

The State of Maine will claim reimbursement for Indirect Costs over the course of this grant.

The SFY17 StaCap rate for the Bureau of State Police is 1.791%,

**Stacap calculation:**

Stacap is calculated on the total grant amount minus the equipment (all Capital)

Total grant \$1,252,794- \$243,600= \$1,009,194 x 1.791%= \$18,074.66

5300- CVSA decals - \$0.28 x 4162= \$1,166.36

Break down of conference registration fees:

CVSA- 2 attendees x \$550= \$1,100.00

COHMED- 3 attendees x \$550= \$1,650.00

NAIC- 5 attendees x \$550= \$2,750.00

See attached MOE documents- MOE Calculation and FY17 MCSA Grant MOE

State Share line is calculated at 15% of B&I award

	85%	15% Total	
Total Award	\$1,594,335.00	\$281,353.00	\$1,875,688.00
BEG	\$336,433.00	\$59,370.50	\$395,803.50
NE	\$5,108.00	\$901.41	\$6,009.41
<b>B&amp;I</b>	<b>\$1,252,794.00</b>	<b>\$221,081.11</b>	<b>\$1,473,875.11</b>

\$1,875,688.02

The 15% state match is part of Maine State Police funds that enforce CMV activities. The state match will consist of the fully burdened pay of the Maine State Police- Lieutenant of Troop K (\$142,481.98) and the remainder of the state match will consist of the fully burdened pay of the Maine State Police- Major of Operations (\$138,871.02).

**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.

<b>ESTIMATED Fiscal Year Funding Amounts for MCSAP</b>			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$1,594,335.00	\$281,353.00	\$1,875,688.00

Allowable amount for Overtime (15% of total award amount without justification): \$281,353.00

Maximum amount for Non-CMV Traffic Enforcement (10% of Basic funding amount): \$111,467.00

- **Your overtime costs have exceeded the 15% limit. If you have not already included a justification to exceed the limit, a justification must be included in the Personnel section of the affected Spending Plan(s).**

<b>Personnel (Payroll Costs)</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Motor Carrier Inspectors	\$122,179.20	\$0.00	\$122,179.20	\$0.00
Motor Carrier Supervisor	\$23,098.40	\$0.00	\$23,098.40	\$0.00
DPS Mechanic	\$40,601.60	\$0.00	\$40,601.60	\$0.00
Overtime	\$199,452.00	\$0.00	\$199,452.00	\$0.00
<b>Subtotal for Personnel</b>	<b>\$385,331.20</b>	<b>\$0.00</b>	<b>\$385,331.20</b>	<b>\$0.00</b>

<b>Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.)</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Motor Carrier Inspectors	\$86,923.20	\$0.00	\$86,923.20	\$0.00
Motor Carrier Supervisor	\$8,008.00	\$0.00	\$8,008.00	\$0.00
DPS Mechanic	\$29,411.20	\$0.00	\$29,411.20	\$0.00
Overtime	\$81,488.00	\$0.00	\$81,488.00	\$0.00
<b>Subtotal for Fringe Benefits</b>	<b>\$205,830.40</b>	<b>\$0.00</b>	<b>\$205,830.40</b>	<b>\$0.00</b>

<b>Program Travel</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
CVSA Conferences	\$45,000.00	\$0.00	\$45,000.00	\$0.00
MCSAP Planning Meeting	\$8,000.00	\$0.00	\$8,000.00	\$0.00
CMV Training	\$76,000.00	\$0.00	\$76,000.00	\$0.00
Grant Management Training	\$6,000.00	\$0.00	\$6,000.00	\$0.00
<b>Subtotal for Program Travel</b>	<b>\$135,000.00</b>	<b>\$0.00</b>	<b>\$135,000.00</b>	<b>\$0.00</b>

<b>Equipment</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Crash Reconstruction Equipment	\$30,000.00	\$0.00	\$30,000.00	\$0.00
Vehicles	\$150,000.00	\$0.00	\$150,000.00	\$0.00
Watch Guard In-Cruiser Video Cameras	\$63,600.00	\$0.00	\$63,600.00	\$0.00
<b>Subtotal for Equipment</b>	<b>\$243,600.00</b>	<b>\$0.00</b>	<b>\$243,600.00</b>	<b>\$0.00</b>

<b>Supplies</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
FMCSA Handbook (MC & HM)	\$7,500.00	\$0.00	\$7,500.00	\$0.00
Title 29A Motor Vehicle Statutes	\$1,170.00	\$0.00	\$1,170.00	\$0.00
LEOSR Manuals	\$1,267.00	\$0.00	\$1,267.00	\$0.00
CVSA OOSC	\$1,680.00	\$0.00	\$1,680.00	\$0.00
Stalker Radars	\$36,000.00	\$0.00	\$36,000.00	\$0.00
Tools for Inspections	\$47,475.00	\$0.00	\$47,475.00	\$0.00
Consoles	\$2,500.00	\$0.00	\$2,500.00	\$0.00
Uniforms	\$28,700.00	\$0.00	\$28,700.00	\$0.00
<b>Subtotal for Supplies</b>	<b>\$126,292.00</b>	<b>\$0.00</b>	<b>\$126,292.00</b>	<b>\$0.00</b>

<b>Contractual (Subgrantees, Consultant Services, etc.)</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Lease of Computer equipment and accessories	\$132,000.00	\$0.00	\$132,000.00	\$0.00
<b>Subtotal for Contractual</b>	<b>\$132,000.00</b>	<b>\$0.00</b>	<b>\$132,000.00</b>	<b>\$0.00</b>

<b>Other Expenses</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Conference Registration Fees	\$5,500.00	\$0.00	\$5,500.00	\$0.00
CVSA Decals	\$1,165.36	\$0.00	\$1,165.36	\$0.00
State Share Calculation	\$0.00	\$221,081.11	\$221,081.11	\$0.00
MOE	\$0.00	\$0.00	\$0.00	\$3,323,204.93
<b>Subtotal for Other Expenses including Training &amp; Conferences</b>	<b>\$6,665.36</b>	<b>\$221,081.11</b>	<b>\$227,746.47</b>	<b>\$3,323,204.93</b>

<b>Total Costs</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
<b>Subtotal for Direct Costs</b>	<b>\$1,234,718.96</b>	<b>\$221,081.11</b>	<b>\$1,455,800.07</b>	<b>\$3,323,204.93</b>
Indirect Cost	\$18,075.00	\$0.00	\$18,075.00	\$0.00
<b>Total Costs Budgeted</b>	<b>\$1,252,793.96</b>	<b>\$221,081.11</b>	<b>\$1,473,875.07</b>	<b>\$3,323,204.93</b>

<b>Comprehensive Budget</b>
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*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	\$1,594,335.00	\$281,353.00	\$1,875,688.00

- **Your overtime costs have exceeded the 15% limit. If you have not already included a justification to exceed the limit, a justification must be included in the Personnel section of the affected Spending Plan(s).**

Cost Summary by Budget Category				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Personnel Total	\$562,553.87	\$0.00	\$562,553.87	\$0.00
Fringe Benefit Total	\$279,101.28	\$0.00	\$279,101.28	\$0.00
Program Travel Total	\$219,818.52	\$0.00	\$219,818.52	\$0.00
Equipment Total	\$243,600.00	\$0.00	\$243,600.00	\$0.00
Supplies Total	\$126,511.57	\$0.00	\$126,511.57	\$0.00
Contractual Total	\$132,000.00	\$0.00	\$132,000.00	\$0.00
Other Expenses Total	\$6,665.36	\$281,353.02	\$288,018.38	\$3,323,204.93
Total Costs				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Direct Costs	\$1,570,250.60	\$281,353.02	\$1,851,603.62	\$3,323,204.93
Indirect Costs	\$24,084.36	\$0.00	\$24,084.36	\$0.00
<b>Total Costs Budgeted</b>	<b>\$1,594,334</b>	<b>\$281,354</b>	<b>\$1,875,688</b>	<b>\$3,323,205</b>

**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.**

- **Your overtime costs have exceeded the 15% limit. If you have not already included a justification to exceed the limit, a justification must be included in the Personnel section of the affected Spending Plan(s).**

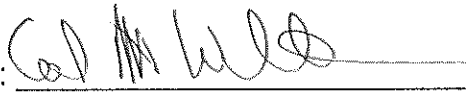
# Annual Certification of Compatibility

In accordance with 49 C.F.R., Parts 350.331, as Chief for the Maine State Police, I do hereby certify the State of Maine compatibility with appropriate parts of the Federal Motor Carrier Safety Regulations (FMCSR) and the Federal Hazardous Materials Regulations (FHMR) as follows:

Approximately every other year the Maine State Police executes the legal process known as rulemaking to adopt as Maine Law the most current Federal Motor Carrier Safety Regulations and Federal Hazardous Material Regulations. The most recent adoption was effective May 14, 2011 for the FMCSR's and May 6, 2010 for the hazardous material regulations. In accordance with 49 CFR Sec. 350.331 a Regulatory Review was conducted at the time the rulemaking process was in progress, which precedes the adoption. An incompatibility issue still exists between Maine Law and the FMCSR's with regards to Maine's 100 air mile intrastate exemptions for portions of Part 391 and all of Part 395. There is no incompatibility with the Federal HMR's.

INTERSTATE MOTOR CARRIERS; and  
See attached Chapter 4 and 6 Rules as adopted.

INTRASTATE MOTOR CARRIERS.  
See attached Chapter 4 and 60 Rules as adopted.

Signature: 

Date: 08-19-16



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**§ 1. DEFINITIONS**

For the purpose of this Chapter, the following terms are defined as follows:

- A. **Commercial motor vehicle.** “Commercial motor vehicle” means any self-propelled or towed motor vehicle used on a highway in interstate or intrastate commerce to transport passengers or property when the vehicle —
1. Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or
  2. Is designed or used to transport more than eight (8) passengers (including the driver) for compensation; or
  3. Is designed or used to transport more than fifteen (15) passengers, including the driver, and is not used to transport passengers for compensation; or
  4. Is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. §5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 C.F.R., subtitle B, chapter I, subchapter C.
- B. **FMCSA.** “FMCSA” means “Federal Motor Carrier Safety Administration.”
- C. **Motor carrier.** “Motor carrier” means a for hire motor carrier or a private motor carrier. The term includes a motor carrier's agents, officers and representatives as well as employees responsible for hiring, supervising, training, assigning, or dispatching of drivers and employees concerned with the installation, inspection, and maintenance of

motor vehicle equipment and/or accessories. For purposes of subchapter B of the Federal regulations adopted and incorporated by reference in this Chapter, this definition includes the terms employer and exempt motor carrier.

- D. **Special agent of the FMCSA.** “Special agent of the FMCSA,” as used in this Chapter, means a motor carrier inspector, state police officer, municipal officer, or sheriff, who has satisfactorily completed a prescribed course of instruction established by the Maine State Police with respect to the Federal regulations adopted and incorporated by reference, with or without State of Maine amendments, into this Chapter.
- E. **State.** “State” means State of Maine.

## § 2. APPLICABILITY

This regulation applies to any interstate or intrastate common, contract, and private motor carrier that transports passengers or property in Maine.

## § 3. ADOPTION AND INCORPORATION BY REFERENCE OF FEDERAL REGULATIONS, WITHOUT STATE AMENDMENTS

Pursuant to 29-A M.R.S. §555, sub-§2, the Bureau of the Maine State Police hereby adopts and incorporates by reference into this Chapter, without State amendments:

- A. Title 49, Parts 40, 382, 390, 393, and 396, and Appendices to Subchapter B of the *Code of Federal Regulations* as amended;
- B. Title 49, Part 392, §§ 392.1 through 392.71 of the *Code of Federal Regulations*, as amended; and
- C. Title 49, Part 392, §§ 392.80 and 392.82 of the *Code of Federal Regulations*, as amended.

## § 4. ADOPTION AND INCORPORATION BY REFERENCE OF FEDERAL REGULATIONS, WITH STATE AMENDMENTS

Pursuant to 29-A M.R.S. §555, sub-§2, the Bureau of the Maine State Police hereby adopts and incorporates by reference into this Chapter (1) Title 49 Parts 383, 391, and 395, and Appendices to Subchapter B, of the *Code of Federal Regulations*, as amended, with the following State amendments, and (2) Title 49, Section 391.41(b)(12)(i) as amended, with the following State amendments:

- A. **Hazardous Materials**
  - 1. There are no exemptions for motor carriers, vehicles, or drivers transporting hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with 49 C.F.R., Subchapter C, Pt. 172.

- B. As to 49 C.F.R. Pt. 383, the following amendments are made:
1. Intrastate motor carriers, vehicles, and drivers to whom this Chapter applies *are only subject to* 49 C.F.R. §§ 383.1(a), 383.3(a), 383.5, 383.21, 383.23(a), 383.23(a)(2), 383.23(c), 383.31, 383.33, 383.37, 383.51, 383.52, 383.53, and 383.72.
- B-1. As to 49 C.F.R. Pt. 390, the following amendments are made:
1. Intrastate vehicles to which this chapter applies that have a gross vehicle weight rating of 10,000 lbs. to 26,000 lbs., and that neither meet the definition of a “bus” nor transport hazardous materials, are exempt from 49 C.F.R. §§ 390.19 and 390.21.
- C. As to 49 C.F.R. Pt. 391, the following amendments are made:
1. Intrastate motor carriers, vehicles, and drivers to whom this Chapter applies that operate less than 100 air miles from their regular place of business *are only subject to* 49 C.F.R. §§ 391.13, 391.15, 391.23(a), 391.23(a)(1), 391.25(a), 391.25(b), 391.27(a), 391.27(b), and 391.41(b)(12)(i).  
  
Documents and records obtained from inquiries made pursuant to 49 C.F.R. §§ 391.23, 391.25, and 391.27 must be maintained on file by the motor carrier for a period of two years.
  2. Intrastate motor carriers, vehicles, and drivers to whom this Chapter applies that operate more than 100 air miles from their regular place of business *are exempt from* 49 C.F.R. §391.11(b)(1). Intrastate drivers to whom this Chapter applies that operate more than 100 air miles from their regular place of business must be at least 18 years old.
  3. Drivers to whom this Chapter applies *are exempt from* 49 C.F.R. §391.41(b)(11).
- D. As to 49 C.F.R. Pt. 395, the following amendments are made:
1. Intrastate motor carriers, vehicles, and drivers to which this Chapter applies that operate less than 100 air miles from their regular place of business are exempt from 49 C.F.R. Pt. 395.

**§ 5. ADOPTION AND INCORPORATION BY REFERENCE OF ADDITIONAL FEDERAL REGULATIONS**

The Bureau of the Maine State Police hereby adopts and incorporates by reference into this Chapter Title 49, Part 385 of the *Code of Federal Regulations*, as amended.

**§ 6. QUALIFICATIONS TO ENFORCE THIS CHAPTER**

- A. Only special agents of the FMCSA may enforce this Chapter.
- B. Special agents of the FMCSA who are only approved to enforce driver-only aspects of this Chapter must have reasonable, articulable suspicion to stop a commercial motor vehicle.

**§ 7. SOURCE OF FEDERAL REGULATIONS**

Copies of the Federal rules adopted and incorporated by reference herein may be obtained from the following agencies:

Superintendent of Documents  
U.S. Government Printing Office  
Washington, D.C. 20402

Maine Department of Public Safety  
Bureau of Maine State Police  
20 State House Station  
Augusta, ME 04333-0020

**§ 8. SEVERABILITY**

Should any provision of this Chapter or the application of this Chapter to any person or circumstance be held invalid, the invalidity does not affect other provisions or applications of this Chapter that can be given effect without the invalid provision or application, and to this end the provisions of this Chapter are severable.

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STATUTORY AUTHORITY: Title 29-A M.R.S.A. §555

## EFFECTIVE DATE:

August 1, 1982

## AMENDED:

September 25, 1985  
October 26, 1986

## REPEALED &amp; REPLACED:

January 1, 1987 - 29 M.R.S.A Sec. 2707  
December 10, 1989 - except part 391, subpart H of FMCSR which shall be effective  
December 21, 1989

## AMENDED:

December 21, 1989 - (EMERGENCY)  
March 27, 1993 - (also REPEAL of Chapter 5)  
January 12, 1994 - (EMERGENCY)  
February 4, 1994 - (EMERGENCY)  
March 1, 1995  
January 19, 1996 - (EMERGENCY) - Sec. 4

## EFFECTIVE DATE (ELECTRONIC CONVERSION):

May 15, 1996

**NON-SUBSTANTIVE CORRECTION:**

August 13, 1996 - added note on January 19, 1996 emergency filing.

**AMENDED:**

November 17, 1997

January 14, 1999 - Section 4.04(5) added (EMERGENCY - expired January 24, 1999)  
(*Note: on November 17, 1999 the older version was restored to the Web.*)

January 24, 2000 - Sections 4.04 (5), (6) (EMERGENCY - expired February 25, 2000)  
April 17, 2000

December 19, 2000 - Section 4(A)(1)(b) and (c) added (EMERGENCY - expired December 26, 2000  
by request of the agency)

July 9, 2001

January 22, 2003 - Section 4(A)(1)(b) and (c) added (EMERGENCY - expires February 22, 2003  
by request of the agency) - filing 2003-31

June 1, 2003 - filing 2003-168

January 4, 2004 - filing 2003-486

February 6, 2006 - filing 2006-57

**REPEALED AND REPLACED:**

September 15, 2006 - filing 2006-394 (EMERGENCY)

November 26, 2006 - filing 2006-492

November 19, 2007 - as "Maine Motor Carrier Safety Regulation, Part 1," filing 2007-484

May 28, 2008 - combined Ch. 4 and 4 Part 1 into one document, filing 2008-212

January 3, 2010 - filing 2009-710

May 14, 2011 - filing 2011-144

June 23, 2012 - filing 2012-175 (EMERGENCY adoption, major substantive)

July 18, 2012 - Section 3, filing 2012-194

October 3, 2013 - filing 2013-235 (EMERGENCY adoption, major substantive)

**CORRECTION:**

May 15, 2014 - inserted into §4(C)(1), this language, "and 391.41(B)(12)(i)", which  
was present in the paper filing but missing from the Secretary of  
State's e-version

**AMENDED:**

July 5, 2014 - filing 2014-111 (Final adoption, major substantive)

June 19, 2015 - filing 2015-096 (Final adoption, major substantive)



STATE OF MAINE  
Department of Public Safety  
Maine State Police  
Troop K  
State House Station 20  
Augusta, ME 04333

PAUL R. LEPAGE  
GOVERNOR  
JOHN MORRIS  
COMMISSIONER

COL. ROBERT A. WILLIAMS  
CHIEF  
LT. COL. JOHN E. COTE  
DEPUTY CHIEF

Mr. Eric C. Adair, Division Administrator  
Federal Motor Carrier Safety Administration  
Edmund S. Muskie Federal Building 40 Western Avenue, Room 411  
Augusta, ME 04330

Mr. Adair,

Please consider this request for an exception to the limit on the percentage of Maine's MCSAP award to be budgeted for overtime. Maine's total award of \$1,590,000 would permit the expenditure of \$281,353 on overtime activities. This is problematic due to the way that we structure our grant expenditures for additional activities such as Border Enforcement and New Entrant programs.

When the FAST Act was authorized, and it became known that states would be authorized to allocate 15% of the total award to overtime activities, we were excited to think that we would be able to utilize some of the additional funds that we were awarded to expand our MCSAP activities to some of the more remote areas of our state, as well as during the nighttime hours.

Our enforcement activities are scheduled for Monday through Friday during the day. The allowance for overtime funding would allow us to perform focused MCSAP enforcement details during the off hours when our Troopers are not usually scheduled, while allowing them to focus on their MCSAP and size/weight duties during their regular work hours.

We do not schedule any MCSAP overtime details at this time, as our budget does not allow it.

Currently, we authorize overtime funding from our Border Enforcement and New Entrant grants. Under the BEG, Troopers and Inspectors work fixed details at or near the Canadian border, as well as at fixed scale locations on Interstate 95, the primary Interstate route through Maine for international traffic. This allows members to focus more closely on international/hazmat/international passenger carrier traffic on the major route and ports.

BEG activities are an additional task placed upon border states, in addition to regular MCSAP and size/weight duties. Some states use BEG monies to fund positions. Maine does not, and we choose to utilize the funds to perform this additional task in a focused manner, which we believe to be more efficient and effective, as well as removing any possibility that reduced or discontinued funding would jeopardize a member's employment.

The point is not about spending or earning more OT, it is more about being able to carry out the initiatives. If we are forced to greatly reduce or our BEG OT activity, it will impact the number of inspections that we perform annually, and additionally will force us to perform our BEG activities as part of our regular duties, cutting into other areas of enforcement. Both BEG and MCSAP programs would suffer as a result.

The Maine State Police is requesting that the salary portions of our budgets allocated for overtime activities related to BEG and NEG not be counted toward the 15% total allowed overtime expenses. This would keep our spending and enforcement activities exactly as they have been for many years. We do not seek to gain additional monies; just the ability to administer these funds in the manner that we feel is the most efficient and beneficial to both the State and to the mission that the FMCSA has charged us with.

Under the current award, Maine will receive \$336,433 to conduct Border enforcement activities. This is an average of the last three years of awards. Under our current cap of \$281,353 in overtime salary expenditures, we would be unable to meet the average number of inspections that we have conducted over that time. This is due to the fact that we would hit the OT salary cap before we expended the amount of the BEG award. Additionally, in the most recent labor contract and a raise mandated by the Legislature, members received a raise of between 19 and 21 percent, again reducing the resources required to maintain the level of activity from the past by increasing the manpower cost per detail.

Because the OT salary cap would be restrictive, we would either have to further reduce Border Enforcement activity in order to conduct New Entrant grant work, which is also partially conducted on overtime. We also would be unable to increase our MCSAP activity as we had hoped to with the OT funding.

If permission were to be granted, we would like to conduct the following activities on overtime, listed below by funding source-

- BEG- approximately 503 @8 hour enforcement details, resulting in approximately 3000 trucks inspected.
- MCSAP- approximately 503 @8 hour enforcement details, resulting in approximately 2500 trucks inspected.

Although the number/hours of MCSAP details is similar to BEG, these MCSAP details would be conducted during off hours, and also in more remote locations around the state. Therefore, the number of inspections would be lower due to the amount of traffic and varied patrol techniques.

We anticipate to only spend \$5018 of our New Entrant award of \$96,451 . We would propose to move the \$91,433 difference toward funding the MCSAP overtime activities.

The Maine State Police is requesting to increase by 15% the amount of grant monies spent on overtime activities, to a total of \$281,353. Again, we make this request to allow us to continue to administer BEG and NEG activities in the same successful and productive manner that we have for over ten years. Below is a breakdown of the figures:

FY2017

OT authorized under MCSAP award-----	\$281,353
Requested OT (total amount) -----	\$567,787
Total percentage of MCSAP allocation requested for OT ----	35%

Again, as part of this equation, and to help minimize the amount of increase, we propose to utilize the unused portion of our NEG award toward the total amount of OT funding. Although it does not lower the percentage of the total allocation, it would be an efficient and prudent use of the federal funds.

Maine has conducted the following BEG activity for the past three fiscal years:

2013- 4,249 inspections (\$381,117 awarded)

2014- 4,174 inspections (\$415,383 awarded)

2015- 2,937 inspections (\$212,799 awarded)

Maine's BEG award has been cut by 50% each year for the last two years. This request to increase by 15% the amount of our MCSAP award spent on overtime activities is what we feel is the only way for us to administer BEG and NEG activities as required by the FAST Act, and to actually increase our MCASP activity.

Maine, unlike other states, does not pay regular salary for enforcement personnel from our BEG, as it is not a secure and guaranteed revenue stream. Instead, we conduct BEG activities on an overtime basis, and have since our first grant award over ten years ago. Should we not be able to continue administration of these funds in this manner, we would be forced to decrease BEG activity drastically to comply with the 15% cap on overtime activities in order to utilize the funds to conduct MCSAP and NEG activities. We would anticipate a 50% reduction in BEG inspections just to be able to accommodate the use of funds for MCASP OT.

Maine has always performed at a high level in all of our MCASP, BEG, and NEG activities, and it is our feeling that in order to continue this high level of performance in our commitment to FMCSA, we have the need to administer our award in the manner best suited to our operations. This is not an attempt to spend funds for the sake of paying overtime, but rather a genuine effort to increase MCSAP enforcement and inspections with the goal of reducing crashes and deaths on our highways.

If approved, this increase in overtime activity will allow the Maine State Police to expand the successful enforcement program that we have, while allowing us to reduce injuries and deaths on our roadways, without having to reduce or modify the administration of the successful BEG and NEG activities as they have existed for years.

Any consideration that you could give to this request would be greatly appreciated. If I can provide any further information or explanation, please do not hesitate to ask.

Respectfully submitted,

Lt. Robert Nichols  
Maine State Police





STATE OF MAINE  
Department of Public Safety  
Maine State Police  
42 State House Station  
Augusta, Maine  
04333-0042

PAUL R. LEPAGE  
GOVERNOR  
JOHN E. MORRIS  
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LT. COL. JOHN P. COTE  
DEPUTY CHIEF

Mr. Eric Adair, Division Administrator  
Federal Motor Carrier Safety Administration  
Edmund S. Muskie Federal building  
40 Western Avenue, Room 411  
Augusta, ME 04330

August 30, 2016

Dear Mr. Adair,

The Maine State Police has recently submitted a letter requesting that the salary portions of our FY17 MCSAP budgets allocated for overtime activities related to BEG and NEG not be counted toward the 15% total allowed overtime expenses and we would request that we be authorized to spend up to 15% of our award, or \$281,533 for additional FY17 MCSAP activities.

When completing the eCVSP document, the system allowed me to enter the OT salary of \$199,452 and the OT fringe benefit amount of \$81,488 in the first portion of spending plan. However, when I reviewed Section 8 of the Final Spending Plan, I noticed the OT fringe benefit field only reflected \$38,079.00 versus the correct OT fringe benefit amount of \$84,488- indicating the budget is short by \$43,409. The FY17 MCSAP budget amount should be \$1,252,794.

Respectfully,

Michelle Ward, Contract Grant Specialist  
Maine State Police  
45 Commerce Drive, Suite One  
State House Station 42  
Augusta, ME 04333-0042  
Phone: (207)-624-7207  
Fax: (207)-287-3042

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INTEGRITY \* FAIRNESS \* COMPASSION \* EXCELLENCE

Offices located at: Central Maine Commerce Center, 45 Commerce Dr., Suite. 1, Augusta, ME 04333-0042  
(207) 624-7200 (Voice) (207) 287-3659 (TDD) (207) 287-3042 (Fax)



STATE OF MAINE  
Department of Public Safety  
Maine State Police  
Troop K  
State House Station 20  
Augusta, ME 04333

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Mr. Eric C. Adair, Division Administrator  
Federal Motor Carrier Safety Administration  
Edmund S. Muskie Federal Building 40 Western Avenue, Room 411  
Augusta, ME 04330

Mr. Adair,

Please consider this request for an exception to the limit on the percentage of Maine's MCSAP award to be budgeted for overtime. Maine's total award of \$1,590,000 would permit the expenditure of \$281,353 on overtime activities. This is problematic due to the way that we structure our grant expenditures for additional activities such as Border Enforcement and New Entrant programs.

When the FAST Act was authorized, and it became known that states would be authorized to allocate 15% of the total award to overtime activities, we were excited to think that we would be able to utilize some of the additional funds that we were awarded to expand our MCSAP activities to some of the more remote areas of our state, as well as during the nighttime hours.

Our enforcement activities are scheduled for Monday through Friday during the day. The allowance for overtime funding would allow us to perform focused MCSAP enforcement details during the off hours when our Troopers are not usually scheduled, while allowing them to focus on their MCSAP and size/weight duties during their regular work hours.

We do not schedule any MCSAP overtime details at this time, as our budget does not allow it.

Currently, we authorize overtime funding from our Border Enforcement and New Entrant grants. Under the BEG, Troopers and Inspectors work fixed details at or near the Canadian border, as well as at fixed scale locations on Interstate 95, the primary Interstate route through Maine for international traffic. This allows members to focus more closely on international/hazmat/international passenger carrier traffic on the major route and ports.

BEG activities are an additional task placed upon border states, in addition to regular MCSAP and size/weight duties. Some states use BEG monies to fund positions. Maine does not, and we choose to utilize the funds to perform this additional task in a focused manner, which we believe to be more efficient and effective, as well as removing any possibility that reduced or discontinued funding would jeopardize a member's employment.

The point is not about spending or earning more OT, it is more about being able to carry out the initiatives. If we are forced to greatly reduce or our BEG OT activity, it will impact the number of inspections that we perform annually, and additionally will force us to perform our BEG activities as part of our regular duties, cutting into other areas of enforcement. Both BEG and MCSAP programs would suffer as a result.

The Maine State Police is requesting that the salary portions of our budgets allocated for overtime activities related to BEG and NEG not be counted toward the 15% total allowed overtime expenses. This would keep our spending and enforcement activities exactly as they have been for many years. We do not seek to gain additional monies; just the ability to administer these funds in the manner that we feel is the most efficient and beneficial to both the State and to the mission that the FMCSA has charged us with.

Under the current award, Maine will receive \$336,433 to conduct Border enforcement activities. This is an average of the last three years of awards. Under our current cap of \$281,353 in overtime salary expenditures, we would be unable to meet the average number of inspections that we have conducted over that time. This is due to the fact that we would hit the OT salary cap before we expended the amount of the BEG award. Additionally, in the most recent labor contract and a raise mandated by the Legislature, members received a raise of between 19 and 21 percent, again reducing the resources required to maintain the level of activity from the past by increasing the manpower cost per detail.

Because the OT salary cap would be restrictive, we would either have to further reduce Border Enforcement activity in order to conduct New Entrant grant work, which is also partially conducted on overtime. We also would be unable to increase our MCSAP activity as we had hoped to with the OT funding.

If permission were to be granted, we would like to conduct the following activities on overtime, listed below by funding source-

- BEG- approximately 503 @8 hour enforcement details, resulting in approximately 3000 trucks inspected.
- MCSAP- approximately 503 @8 hour enforcement details, resulting in approximately 2500 trucks inspected.

Although the number/hours of MCSAP details is similar to BEG, these MCSAP details would be conducted during off hours, and also in more remote locations around the state. Therefore, the number of inspections would be lower due to the amount of traffic and varied patrol techniques.

We anticipate to only spend \$5018 of our New Entrant award of \$96,451 . We would propose to move the \$91,433 difference toward funding the MCSAP overtime activities.

The Maine State Police is requesting to increase by 15% the amount of grant monies spent on overtime activities, to a total of \$281,353. Again, we make this request to allow us to continue to administer BEG and NEG activities in the same successful and productive manner that we have for over ten years. Below is a breakdown of the figures:

FY2017

OT authorized under MCSAP award-----	\$281,353
Requested OT (total amount) -----	\$567,787
Total percentage of MCSAP allocation requested for OT ----	35%

Again, as part of this equation, and to help minimize the amount of increase, we propose to utilize the unused portion of our NEG award toward the total amount of OT funding. Although it does not lower the percentage of the total allocation, it would be an efficient and prudent use of the federal funds.

Maine has conducted the following BEG activity for the past three fiscal years:

2013- 4,249 inspections (\$381,117 awarded)

2014- 4,174 inspections (\$415,383 awarded)

2015- 2,937 inspections (\$212,799 awarded)

Maine's BEG award has been cut by 50% each year for the last two years. This request to increase by 15% the amount of our MCSAP award spent on overtime activities is what we feel is the only way for us to administer BEG and NEG activities as required by the FAST Act, and to actually increase our MCASP activity.

Maine, unlike other states, does not pay regular salary for enforcement personnel from our BEG, as it is not a secure and guaranteed revenue stream. Instead, we conduct BEG activities on an overtime basis, and have since our first grant award over ten years ago. Should we not be able to continue administration of these funds in this manner, we would be forced to decrease BEG activity drastically to comply with the 15% cap on overtime activities in order to utilize the funds to conduct MCSAP and NEG activities. We would anticipate a 50% reduction in BEG inspections just to be able to accommodate the use of funds for MCASP OT.

Maine has always performed at a high level in all of our MCASP, BEG, and NEG activities, and it is our feeling that in order to continue this high level of performance in our commitment to FMCSA, we have the need to administer our award in the manner best suited to our operations. This is not an attempt to spend funds for the sake of paying overtime, but rather a genuine effort to increase MCSAP enforcement and inspections with the goal of reducing crashes and deaths on our highways.

If approved, this increase in overtime activity will allow the Maine State Police to expand the successful enforcement program that we have, while allowing us to reduce injuries and deaths on our roadways, without having to reduce or modify the administration of the successful BEG and NEG activities as they have existed for years.

Any consideration that you could give to this request would be greatly appreciated. If I can provide any further information or explanation, please do not hesitate to ask.

Respectfully submitted,

Lt. Robert Nichols  
Maine State Police

MAINE STATE POLICE  
SPECIAL DETAIL FACT SHEET  
(Rates effective July 1, 2016)

BARRACKS LOCATIONS AND TELEPHONE NUMBERS

Troop A (Alfred)	207-324-1150	Troop E (Bangor)	207-973-3709
Troop B (Gray)	207-657-5724	Troop F (Houlton)	207-532-5450
Troop C (Skowhegan)	207-474-3350	Troop J (Ellsworth)	207-664-2464
Troop D (Augusta)	207-624-8947	Troop G (Turnpike)	207-871-7755

The Maine State Police is authorized by statute to provide assistance for public safety purposes beyond its normal operational activities. The Chief of the State Police may charge for these services and the revenues received must be allocated for the purpose of funding the cost of providing the services.

Any person or entity seeking the services of the Maine State Police for a public safety purpose may contact the Troop Commander at the barracks nearest to the location where the service is being sought. The Troop Commander will determine whether the service requested will be provided and, if so, the personnel to be assigned. The Troop Commander will make the determination of which Trooper(s) to assign to provide the service based on the personnel assignment provisions of the current labor contract. The Trooper(s) assigned will be performing a special detail, which means that the officer must be compensated for a minimum of four hours at the officer's premium rate. If the Trooper(s) works beyond the minimum four hours, they must also be compensated for that additional time at their premium rate. Retirement cost is then added to the premium rate to determine the actual cost. The amount of the actual cost varies and is dependent upon an officer's seniority and retirement plan. The maximum possible actual cost is \$68.52 per hour or \$274.08 for the minimum four hours for a trooper or specialist, \$74.63 per hour or \$298.52 for the minimum four hours for a corporal or detective, \$76.73 per hour or \$306.92 for the minimum four hours for a sergeant, and \$88.24 per hour or \$352.96 for the minimum four hours for a lieutenant. **In addition to the hourly rate, there will be a vehicle surcharge of \$20 per hour** with a two hour minimum charge for the vehicle, as well as an administrative charge of 15% to cover support services costs. There are times when an officer is inverted to fill a special detail request. When inverted the overtime is calculated two times the actual hours necessary to complete the detail (minimum of four hours still applies). Vehicle hours is calculated at the actual time needed to complete the detail (minimum of two hours still applies).

The Security and Employment Service Center will bill for the service provided. The bill will be based on actual cost. The minimum actual personnel cost may be less than listed in the previous paragraph depending on the seniority of the Trooper(s) assigned to perform the service.

The number of billable hours for both personnel and vehicle use costs may include a portion or all of the Trooper(s) travel time if the Trooper was involuntarily inverted to work the special detail. Details cancelled with less than 24 hours notice may result in the person or entity being billed.

	MOE before expended	% Expended	expended per cat	MOE after expended	%	15% per category	MOE minus the 15% per category
Personnel	\$2,317,090.96	48.2630165%	\$224,392.37	\$2,092,698.59	48.2630165%	\$106,700.41	\$1,985,998.17
Fringe	\$1,544,232.94	32.1650471%	\$149,547.04	\$1,394,685.90	32.1650471%	\$71,110.84	\$1,323,575.06
Travel	\$33,811.56	0.7042658%	\$3,274.39	\$30,537.17	0.7042658%	\$1,557.00	\$28,980.17
Equipment (Vehicle)	\$178,631.36	3.7207380%	\$17,299.07	\$161,332.29	3.7207380%	\$8,225.85	\$153,106.44
Equipment (non-vehicle)	\$30,843.75	0.6424488%	\$2,986.98	\$27,856.77	0.6424488%	\$1,420.33	\$26,436.44
Supplies	\$223,144.10	4.6479001%	\$21,609.78	\$201,534.32	4.6479001%	\$10,275.63	\$191,258.69
Contracual	\$3,621.37	0.0754300%	\$350.70	\$3,270.67	0.0754300%	\$166.76	\$3,103.91
Other	\$464,508.52	9.6753139%	\$44,984.06	\$419,524.46	9.6753139%	\$21,390.29	\$398,134.16
Indirect	\$5,081.33	0.1058397%	\$492.09	\$4,589.24	0.1058397%	\$233.99	\$4,355.25
Total	\$4,800,965.89	\$464,936.49	\$464,936.49	\$4,336,029.40	100.0000000%	\$221,081.11	\$4,114,948.29
						B11 minus D11	\$4,114,948.29
B							
Total MOE document	\$4,336,029.40						
Total 15% reported in plan	\$221,081.11						
New Reportable MOE amount	\$4,114,948.29						

Enter State Name: MAINE  
Enter Name of Lead MCSAP Agency: MAINE STATE POLICE  
MCSAP MAINTENANCE OF EFFORT (MOE) SUBSTANTIATION TEMPLATE  
FEDERAL FISCAL YEAR (FFY): 2015

<b>LEAD AGENCY MCSAP-ELIGIBLE EXPENDITURES for FFY 2015 (October 1, 2014 through September 30, 2015)</b>	<b>FFY 2015 TOTAL MCSAP ELIGIBLE EXPENDITURE</b>
<b>Personnel (Payroll Costs)</b>	
Salary	\$1,95
Overtime (Allowed Basic and Incentive Funded)	\$18
Other Payroll Costs ( <i>Special Pays: Availability Pay, Longevity Pay, Stipends, etc.</i> )	\$17
(Specify)	
<b>Subtotal for Personnel</b>	<b>\$2,31</b>
<b>Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.)</b>	
(Specify) Health, Dental, Life, Retirement, FICA, Allowances	\$1,54
<b>Subtotal for Fringe Benefits</b>	<b>\$1,54</b>
<b>Program Travel</b>	
Routine MCSAP-related Travel (Lodging/Meal Allowance)	
Conference Travel	
Training Travel	\$3
(Specify)	
<b>Subtotal for Program Travel</b>	<b>\$3</b>
<b>Equipment</b>	
<b>Vehicles and Related Vehicle Equipment</b>	
Vehicles	
Other Inspection Vehicle Equipment (Radios, etc.)	\$17
(Specify)	
<b>Subtotal for Vehicles and Related Vehicle Equipment</b>	<b>\$17</b>
<b>Non-Vehicle Equipment</b>	
Other Equipment (Not included above)	30
(Specify)	
<b>Subtotal for Non-Vehicle Equipment</b>	<b>\$3</b>
<b>Subtotal for Equipment</b>	<b>\$20</b>
<b>Supplies</b>	
Office Supplies	\$
Uniforms and Other Related Supplies	46
Computers	\$17
Printers	
(Specify)	
<b>Subtotal for Supplies</b>	<b>\$22</b>
<b>Contractual (Sub Grantees, Consultant Services, etc.)</b>	
Lease Cost of MCSAP Vehicles	
<b>Contractual Services (Weight Station servicing, security system services, lab services)</b>	\$
<b>Subtotal for Contractual</b>	<b>\$</b>
<b>Other Expenses</b>	

Training Costs (Tuition, materials, etc.)	\$.
CVSA Decals	
Conferences Costs (Registration fees, etc.)	\$.
Fuel Costs	\$
Repair and Maintenance of Vehicles Not Under Contract	
Fleet Cost (Mileage/Repairs)	
Communications (air cards, mobile phones, etc.) incl Dispatch	407
<b>Operations(Utilities, rents, repairs, general ops(postage, printing), insurance)</b>	\$4
<b>Subtotal for Other Expenses including Training &amp; Conferences</b>	<b>\$46</b>
<b>TOTAL DIRECT COSTS</b>	<b>\$4,79</b>
<b>TOTAL APPROVED INDIRECT COSTS</b>	<b>\$</b>
<b>TOTAL MCSAP ELIGIBLE COSTS EXPENDED</b>	<b>\$4,800</b>
<b>Federal Grant Funds Expended</b>	<b>\$303</b>
<b>Associated State Matching Funds Expended</b>	<b>\$161</b>
<b>Total Grant Related Funds Expended</b>	<b>\$464</b>
<b>Total MOE Funds Expended</b>	<b>\$4,336</b>
<b>CERTIFICATION AND VALIDATION OF FFY 2015 MOE EXPENDITURES</b>	
<b>TOTAL MOE BASELINE</b> (MAP-21 Baseline years of 2004 and 2005)	<b>\$3,323</b>
<b>TOTAL MOE EXPENDITURES</b>	<b>\$4,336</b>
I hereby certify as follows that the information included in this template is true, accurate and complete. I acknowledge that a knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable federal law:	
(1) The State lead MCSAP agency has validated and met the minimum MOE baseline expenditure amount for FFY 2015.	
(2) All Lead Agency expenditures included in the template are MCSAP-eligible.	
(3) Supporting documents are available for review by the Federal Motor Carrier Safety Administration upon request.	
<b>NAME AND TITLE OF STATE OFFICIAL :</b>	<b>DATE:</b>
<b>EMAIL ADDRESS FOR CERTIFYING OFFICIAL:</b>	<b>PHONE NUMBER:</b>

**Footnote:**

<sup>1</sup> Per MAP-21, only the total MCSAP-eligible expenditures of the State Lead agency in FFY 2015 (10/1/2014 through 9/30/2015) are to be included in the MOE calculation. Do not include MCSAP-eligible expenditures of other State agencies or subgrantees.



## **FY 2017 Certification of MCSAP Conformance (State of Maine)**

I, Lt. Colonel John Cote on behalf of the State of Maine, 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 Maine State Police as the Lead State Agency to administer the Commercial Vehicle Safety Plan throughout the State for the grant sought and the Maine State Police 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 Commissioner John E. Morris.
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 10-17-16

Signature

 LT. COL. - DEPUTY CHIEF