

MASSACHUSETTS

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

Date of Approval: Jan 13, 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.

The Commonwealth of Massachusetts is committed to reducing the number of traffic crashes and associated injuries/fatalities with coordinated enforcement and educational efforts focused on commercial vehicle operators and other vehicles operating in the vicinity of commercial vehicles.

The Massachusetts State Police has been the lead MCSAP agency in Massachusetts since the inception of the MCSAP program. The Massachusetts State Police Commercial Vehicle Enforcement Section (CVES) is responsible for implementing the MCSAP Program within Massachusetts. Under state statute, we have the authority to enforce all state laws and the appropriate FMCSA regulations anywhere in the territorial confines of Massachusetts.

The Department of Public Utilities (DPU) is a non-funded participating member. The DPU addresses the safety of equipment and operation of motorcoach companies and transit authority buses. The DPU also regulates commercial common carriers that perform residential household goods moves within the Commonwealth. The CVES and DPU continue to have an outstanding working relationship and as a result, passenger and household goods enforcement activities are jointly pursued. The FMCSA, CVES, and DPU conduct quarterly meetings. The CVES meets with local jurisdictions and the Massachusetts Highway Safety Division to coordinate seat belt enforcement operations.

The University of Massachusetts Traffic Safety Research Program (UMassSafe) continues to provide state specific data to help direct safety activities including crash causation, high crash regions and corridors as well as training development.

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 CVES is commanded by a lieutenant and currently has a total of 30 personnel assigned to the section, 28 sworn personnel, and 2 civilian personnel. There are five teams deployed on a regional basis. The full time compliance review position is currently vacant due to a retirement. Three full time officers and one part time officer are assigned to the New Entrant Program.

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:

Each officer is trained in Standardized Field Sobriety Testing, certified as a BT operator and is PBT equipped. In addition, roadside officers have received training from the MSP CVES in traffic enforcement involving large trucks and buses. This training includes information on detecting drivers impaired by alcohol or other controlled substances, human trafficking, controlled substance trafficking, etc.

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

Policies and training are in place to ensure compliance. We are reviewing data monthly to insure compliance and to spot issues impeding detection. Massachusetts is now CVSIN core compliant. CVES officers have access to CVSIN data and are able to verify operating authority and other credentials in real-time at the roadside. Our "catch rate" for out of service carriers is 100%.

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: Large Truck Fatal Crashes per 100M VMT

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	29	0.0497	0.0497
01/01/2014	12/31/2014	37	0.0643	0.0655
01/01/2013	12/31/2013	37	0.0657	0.0657
01/01/2012	12/31/2012	29	0.0518	0.0518
01/01/2011	12/31/2011	47	0.0858	0.0858

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

Fatal Count Source: FMCSA Motor Carrier Management Information System (MCMIS) data snapshot as of 06/24/2016, including crash records through 02/29/2016 - <https://ai.fmcsa.dot.gov/CrashStatistics/rptSummary.aspx>.
 VMT Source: FHWA Annual Highway Statistics 2011-2014 Table VM-2 as of 6/29/16; 2015 was projected.

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

Massachusetts consistently has a lower CMV fatality rate per 100 million vehicle miles traveled than most states and the nation as a whole. Furthermore, the Massachusetts CMV fatality rate declined in 2015.

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: 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	3		
01/01/2014	12/31/2014	2		
01/01/2013	12/31/2013	3		
01/01/2012	12/31/2012	4		
01/01/2011	12/31/2011	3		

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

FMCSA Motor Carrier Management Information System (MCMIS) data snapshot as of 06/24/2016, including crash records through 02/29/2016. The data presented are subject to update as new or additional information may be reported to MCMIS following the snapshot date - <https://ai.fmcsa.dot.gov/CrashStatistics/rptSummary.aspx>.

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

The MSP CVES does not have a goal specific to the reduction of motorcoach/passenger fatalities because the number of such fatalities is too low to measure change. Instead, a goal to reduce all CMV crashes exists which includes strategies to reduce motorcoach/passenger fatalities. The MSP CVES does implement motorcoach enforcement and inspection strategies and has a specific passenger transportation safety goal regarding inspections that is outlined in the State Specific Goals section of this CVSP.

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	1		
01/01/2014	12/31/2014	1		
01/01/2013	12/31/2013	2		
01/01/2012	12/31/2012	0		
01/01/2011	12/31/2011	1		

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

FMCSA Motor Carrier Management Information System (MCMIS) data snapshot as of 06/24/2016, including crash records through 02/29/2016. The data presented are subject to update as new or additional information may be reported to MCMIS following the snapshot date - <http://ai.fmcsa.dot.gov/CrashStatistics/rptHazmat.aspx?rpt=HMPL>.

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

Massachusetts does not have a specific Hazardous Materials Fatality Reduction goal since the number of HazMat related fatalities are so low. However, the MSP CVES does implement enforcement and inspection strategies and has a specific hazardous materials safety inspections goal that is outlined in the State Specific Goals section of this CVSP.

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

Please refer to the MCSAP Comprehensive Policy for an explanation of FMCSA's traffic enforcement guidance. Complete the table below to document the State's safety performance goals and outcomes over the past five measurement periods.

1. Insert the beginning and end dates of the measurement period used, (e.g., calendar year, Federal fiscal year, State fiscal year or any consistent 12 month period for which data is available).
2. Insert the total number of the measured element (traffic enforcement stops with an inspection, non-inspection stops, non-CMV stops).
3. Insert the total number of written warnings and citations during the measurement period. The number of warnings and citations do not need to be split out separately in the last column.

State Defined Measurement Period (Include 5 Periods)		Number Of CMV Traffic Enforcement Stops with an Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
01/01/2015	12/31/2015	4999	6950
01/01/2014	12/31/2014	5877	7901
01/01/2013	12/31/2013	6566	8729
01/01/2012	12/31/2012	10697	13982
01/01/2011	12/31/2011	11483	15317



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



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

State Defined Measurement Period (Include 5 Periods)		Number Of Non-CMV Traffic Enforcement Stops	Number of Citations and Warnings Issued
Begin Date	End Date		
01/01/2015	04/30/2015	1244	1244
01/01/2014	12/31/2014	417	417
01/01/2013	12/31/2013	811	454
01/01/2012	12/31/2012	742	513
01/01/2011	12/31/2011	894	892

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

Number of CMV Traffic Stops with an Inspection and Number of Citations/Warnings Issued: FMCSA's Motor Carrier Management Information System (MCMIS) Traffic Enforcement Activity Summary, data snapshot as of 6/24/2016, including current year-to-date information for 2015 - <https://ai.fmcsa.dot.gov/SafetyProgram/spRptRoadside.aspx?rpt=TEAS>. Note this was all citations (not warnings). Number of Non-CMV Traffic Enforcement Stops & Number of Citations Issued: MSP Internal Records, June, 2016. Note: The increase in Non-CMV traffic enforcement stops and associated citations is due to the "Move-Over" enforcement as part of the Safety of Workers in Roadways state objective.

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:**

The MSP CVES conducted a total of 8 outreach and education activities including 6 carrier talks (tractor trailer school safety presentations), 1 state trucking association presentation and 1 regional safety conference presentation.

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

Conduct 17 public education and awareness activities on passenger transportation, safety belts, hazardous materials, general crash reduction and best safety practices.

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

8

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

Plans for some of the public education and awareness activities are restricted due to low staffing levels and the need to target resources in the most efficient manner.

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.

Massachusetts Crash Reduction - Massachusetts continued to utilize crash causation and location analysis findings to guide traffic enforcement and inspections. As in previous years, more than 30% of the CVES inspections as well as more than 30% of roadside enforcement were conducted during the specified high crash times and days of the week in the high crash zones. The numbers of driver and vehicle inspections, traffic enforcement activities, carrier interventions and public education and awareness activities are outlined in the corresponding sections of this CVSP. The effective data collection and reporting efforts are also described. In addition, the MSP CVES provided training for MSP troopers and local officers who then included enforcement of large trucks and buses in their traditional traffic enforcement details.

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

To reduce the proportion of injury/fatality resulting CMV crashes from 36% to 31% between 2014 and 2016 (with a 2.5% reduction each year).

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

Current crash data show a decline in the number of fatalities, injuries and all CMV crashes. However the proportion of injury/fatality resulting CMV crashes increased from 37% in 2014 to 42% in 2015. The 2016 data to date indicates a decline in the proportion of injury/fatality resulting CMV crashes to 35%.

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

Massachusetts 2015 crash data is not complete due to extended system outages and associated crash data entry delays. It is possible that more serious crashes were entered into SafetyNet first, thus skewing the data. A full year of crash data is needed to fully evaluate this goal therefore it will be reviewed again at a later date.

Activity #2

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

Massachusetts Crash Data Quality - Massachusetts conducted extensive work to successfully improve its SSDQ Overall State Rating including quarterly data audit team meetings, review of previous successes/improvements, examination of current obstacles and implementation of multiple improvement strategies. The largest challenge had been various system outages and delays, which lead to a backlog of crash reports to be entered into SafetyNet as well as poor truck/bus crash data on police crash reports, specifically missing and/or incorrect carrier information, which requires extensive research by MSP CVES staff before crashes can be entered into SafetyNet. Improvement strategies included increased staffing for data input and training for police crash reporters. UMassSafe continues to assist the MSP CVES with these strategies as well as facilitation of the quarterly audit team meetings.

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

To maintain the Good SSDQ rating for each data quality category and improve the rating for Non-Fatal Crash Completeness from Fair to Good by 2016.

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

Massachusetts Crash Data Quality - Although the Massachusetts SSDQ ratings were all good when the FY16 CVSP was written, in August of 2015 there was a decline with a poor overall state rating, fair crash timeliness rating and a flag for crash consistency. Massachusetts conducted extensive work to successfully improve its SSDQ overall state rating as well as that for crash timeliness and crash consistency. All SSDQ ratings have been good since February of 2016. Data Source: MCMIS A&I SSDQ ratings as of June 24, 2016 - <https://ai.fmcsa.dot.gov/DataQuality/StateOverall.aspx>.

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

System outages which delay data input into SafetyNet

Activity #3

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

Passenger Carrier Enforcement - In addition to conducting the inspections, enforcement activities, CSAs, public education/awareness

and effective data collection outlined above, the MSP conducted a statewide strike force in conjunction with national motorcoach strike force activities as well as enforcement of the Federal Distracted Driving Cell Phone Texting Rule 49 CFR 392.80 and the state cell phone law.

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

To increase the percentage of passenger carrier inspections that target motorcoaches from 38% in 2013 to 43% by the end of 2015 (with incremental benchmarks of 2.5% each year) particularly at destinations and/or with curbside operators.

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

The percentage of passenger carrier inspections that targeted motorcoaches in Massachusetts declined from 38% in 2013 to 32% in 2014 and 30% in 2015. However, in 2016 to date (5/27/16), there was an increase to more than 36%. Data Source: FMCSA Motor Carrier Management Information System (MCMIS) 6/24/16 data snapshot including current year-to-date information for 2015 - https://ai.fmcsa.dot.gov/ProgramReport/pcReport.aspx?rpt=reg_ROI.

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

Many of the motor coach curbside operators with troubling safety records are no longer in business. The low cost operators now employ 9 passenger to 20 passenger vans. Our focus is on non compliant carriers regardless of vehicle size.

Activity #4

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

CMV HazMat Transportation Safety - In addition to conducting the inspections, enforcement activities, CSAs, public education/awareness and effective data collection outlined above, Massachusetts saturated HazMat corridors in environmental justice regions during high HM carrier traffic as well as conducted inspections of HM near seaports and railheads.

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

To reduce the percentage of the hazardous material out of service rate from roadside inspections by 1% from 12.7% to 11.7% by the end of 2016.

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

The percentage of Massachusetts hazardous material out of service rates from roadside inspections decreased from 13.97% in 2014 to 11.31% in 2015, however there has been an increase in 2016 to date, with 17.17%. Data Source: FMCSA's Motor Carrier Management Information System (MCMIS) data snapshot as of 6/24/16, including current year-to-date information for 2015 - <https://ai.fmcsa.dot.gov/HazmatStat/hmRoadside.aspx?rpt=RIOOS>.

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

Activity #5

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

Worker Safety on Roadways - The MSP CVES and UMassSafe conducted an extensive analysis of work zone crashes including trends, characteristics and causation. The findings were utilized to conduct targeted enforcement in work zones throughout the fiscal year. In addition, extensive enforcement of the Move Over law was implemented. CVES officers routinely patrol high volume work zones for unsafe driving and unsafe CMVs.

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

To reduce the percent of CMV crashes in work zones from 4.1 percent in 2013 to 3% in 2016, with incremental decreases each year. To increase the number of work zone safety enforcement directed patrol assignments by 100 %.

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

The percent of CMV crashes in work zones decreased from 4.1% in 2013 to 2.95% in 2014. However preliminary data for 2015 indicate the percent of CMV crashes in work zones rose to 4.58%. Data Source: UMassSafe Traffic Safety Data Warehouse (using Registry of Motor Vehicles Crash and Citation data), Snapshot- June 2016. The CVES increased the number of work zone safety enforcement directed patrol assignments by establishing weekly enforcement deployments on a statewide basis.

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

Massachusetts 2015 crash data is not complete due to extended system outages and associated crash data entry delays. A full year of crash data is needed to fully evaluate this goal therefore it will be reviewed again at a later date.

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

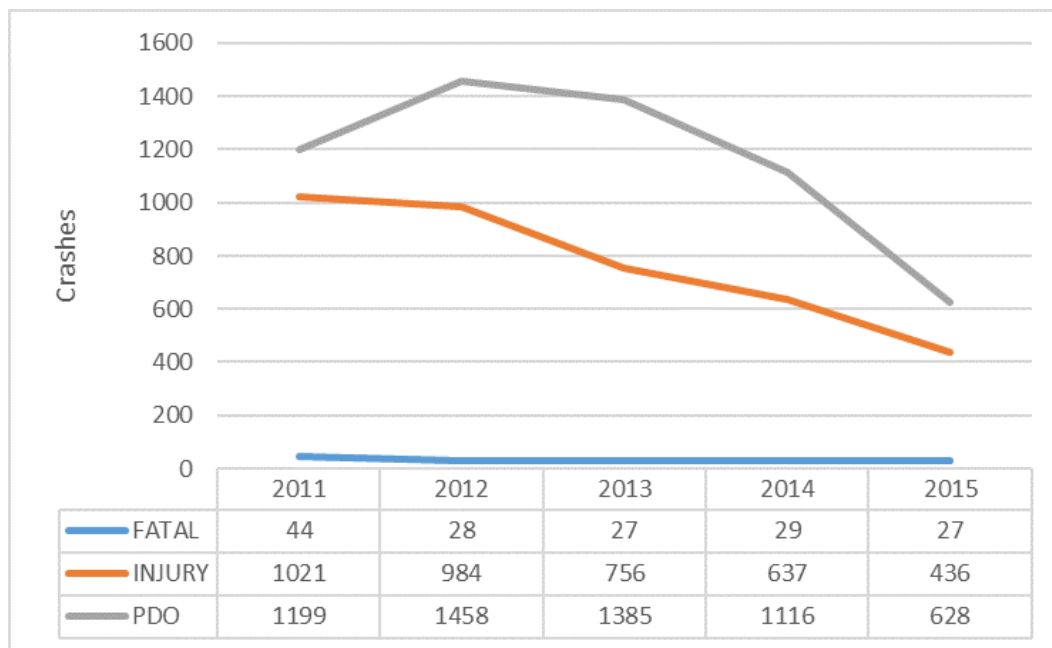
Instructions:

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:

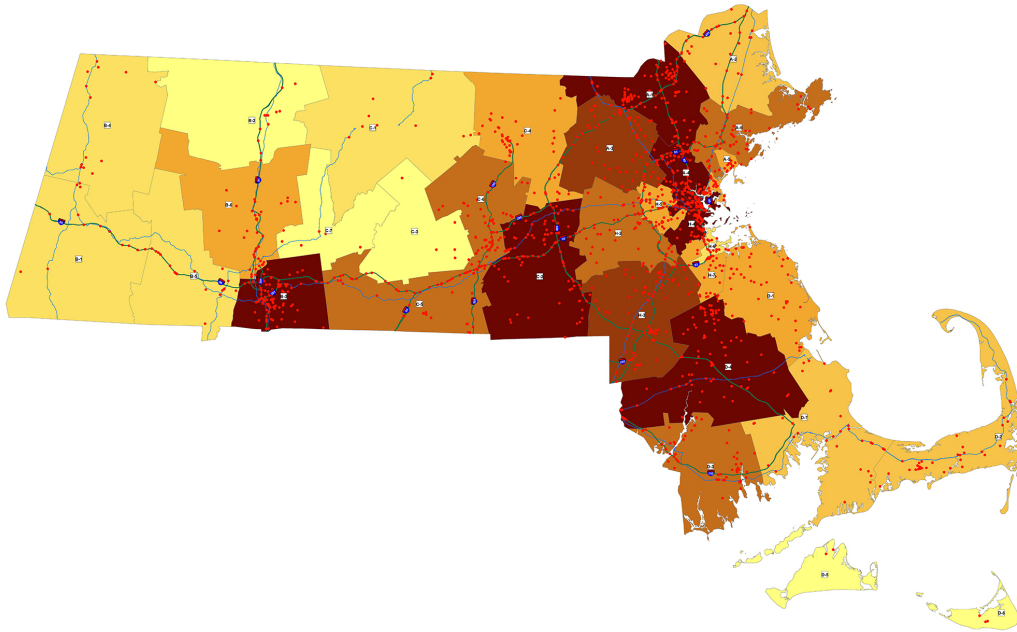
Over the last several years, there has been a steady decline in the number of CMV crashes in Massachusetts from 2,264 in 2011, to 1,782 in 2014, and 1,091 in 2015*. In addition, the number of fatalities and injuries have declined as outlined in the chart below.

Massachusetts CMV Crashes by Severity, Calendar Year 2010-2015

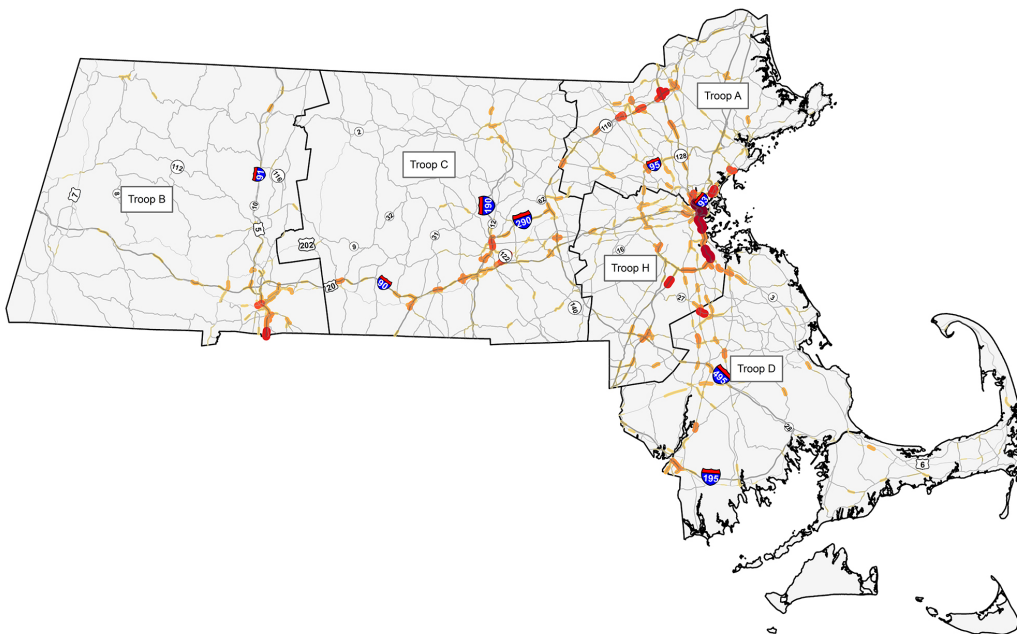


Crash Corridors

Analysis of high crash corridors on major roadways including interstates, U.S. highways and numbered state routes as also conducted. This Equivalent Property Damage Only map demonstrates those high crash corridors.

Massachusetts CMV Crash Corridors by EPDO**Crash Corridors**

In addition to examining MSP barracks with high EPDO crashes, UMassSafe studied high crash corridors. Analysis was only conducted on major roadways including interstates, U.S. highways and numbered state routes. The map below demonstrates those high crash corridors.

Massachusetts CMV Crash Corridors by EPDO

Crash Characteristics

A summary of notable Massachusetts CMV crash characteristics are outlined below. These crash characteristics will be utilized to develop countermeasures to address the crash reduction goal.

Crash Characteristic	Findings for MA CMV Crashes
Crash Severity:	More severe than those for Non-CMV crashes
Manner of Collision:	More sideswipe, angle and head-on crashes than Non-CMV crashes
Manner of Collision by Injury Severity:	CMV property damage only and injury crashes are more often rear-end and angle crashes while CMV crashes involving a fatality are more often head on crashes.
Day of Week:	More frequent on weekdays
Time of Day:	Most frequent from 7am to 10:59am following up 11am to 2:59pm
Lighting Conditions:	More likely during daylight
Driver Age:	Higher frequency among CMV drivers between the ages of 40 and 51 compared to Non-CMV crashes
Driver Contributing Factors (DCF):	Less likely to have DCFs on crash report compared to Non-CMV drivers. Most common DCF was distraction similar to Non-CMV drivers
Citations:	Lane violation, state highway traffic violation, RMV/FED safety regulations and speeding
Number of Vehicles Involved:	Much less frequent single vehicle crashes than Non-CMV
Roadway Type:	Two-way, not divided
MSP Troop:	Crashes overrepresented in Troops A and H

*Due to system outages, 2015 data is not complete.

Enter Data Source Capture Date:

06/30/2016

Enter Data Source:

Data Source: UMassSafe Traffic Safety Data Warehouse using SafetyNet data, Snapshot - June 2016

Enter Crash Reduction Goal

The original goal was to reduce the proportion of injury/fatality resulting CMV crashes from 36% in 2013 to 31% between 2014 and 2016 (with a 2.5% reduction each year). However, in 2015 (preliminary data) the proportion of injury/fatality resulting CMV crashes rose to 42%, therefore the original goal to reduce the proportion of injury/fatality resulting CMV crashes to 31% will be extended through FY18.

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.

In addition to the driver and vehicle inspections, traffic enforcement activities, carrier interventions, public education/awareness and effective data collection and reporting outlined in other sections, the following activities will be implemented.

- Utilize CMV crash causation analysis (locations, driver behavior, days of week, times of day) for CMV and passenger car (including types of violations and specific unsafe driving practices) to target enforcement.
- Provide CMV traffic enforcement training and technical assistance to MSP and local police who conduct traffic enforcement in order to ensure traditional traffic enforcement include unsafe CMV driving behaviors.
- Conduct a minimum of 30% of targeted roving patrols in high crash zones during high crash times and days of week targeting causation factors identified in the analysis described above.
- Conduct a minimum of 30% of driver/vehicle inspections in targeted high crash zones during high crash times and days of week.
- Conduct up to 10% traffic enforcement of Non-CMV's operating unsafely around CMV's.
- Participate in NTC Electronic Logging Device training (online training for existing inspectors/investigators and instructor-led classroom training for new inspectors/investigators).

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.

The State will monitor and evaluate the effectiveness of its CMV crash reduction activities through a monthly and annual review of inspections, citations, and carrier interventions as well as public education and awareness activities. Furthermore, the MCSAP manager will review the ASPEN activity report to ensure the enforcement is conducted in the crash zones. In addition, a quarterly count and review of enforcement and roadside inspections conducted, number of POV citations issued (citations with TE notation), and number of hours spent patrolling high crash areas will be measured against FY15 and FY16 baseline data.

The State will monitor and evaluate the effectiveness of our Crash Reduction goals quarterly and annually by evaluating the number of Massachusetts CMV crashes, associated injuries and fatalities, and the percent of crashes with injuries and fatalities as well as the number of such crashes in regions of MSP Troops/Barracks with higher EPDO rankings as compared to FY16 baseline data as well as total CMV crashes, injuries and fatalities.

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:

June 24, 2016

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

Technology Program	Current Compliance Level according to FMCSA	Verification by State of Current Compliance Level
ITD	Deploying Core CVISN	Yes
PRISM	step 8	Yes
SSDQ	Poor	No

Data Sources:

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

The MA SSDQ rating is currently green in all areas.

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.

Massachusetts currently has a 'good' SSDQ ranking in all categories and will work throughout FY17 to maintain that ranking.

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.

The MSP CVES will continue to monitor each SSDQ category rating on a quarterly basis and make any adjustments if needed.

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

The quarterly FMCSA SSDQ ratings will be monitored and compared to FY16 baseline data on a quarterly basis.

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.

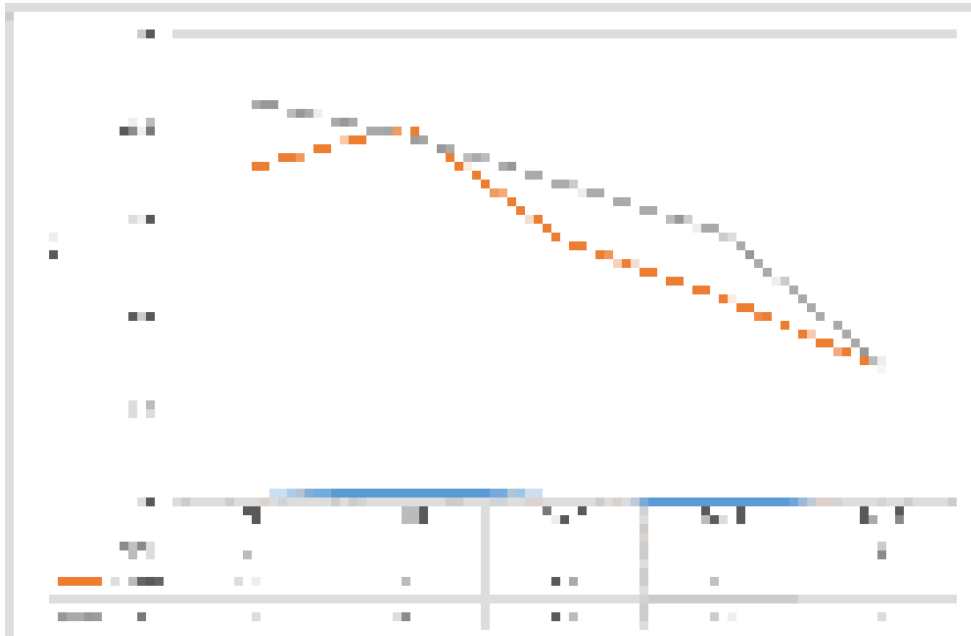
Check this box if:

☐ 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.

Problem Statement Narrative: Describe problem identified by performance data.

In addition to the overall decline in CMV crashes in Massachusetts, as shown in the chart below, the number of Massachusetts crashes involving passenger carriers (buses – all types) has decreased significantly. Additionally, the number of fatal and injury passenger carrier crashes decreased by an even greater margin. 2014 and 2015 saw appreciable decreases in fatal, injury and property damage only (PDO) crashes.

Massachusetts Crashes Involving Buses by Severity, Calendar Year 2010-2015



Data Source: UMassSafe Traffic Safety Data Warehouse using SafetyNet data, Snapshot June 2016

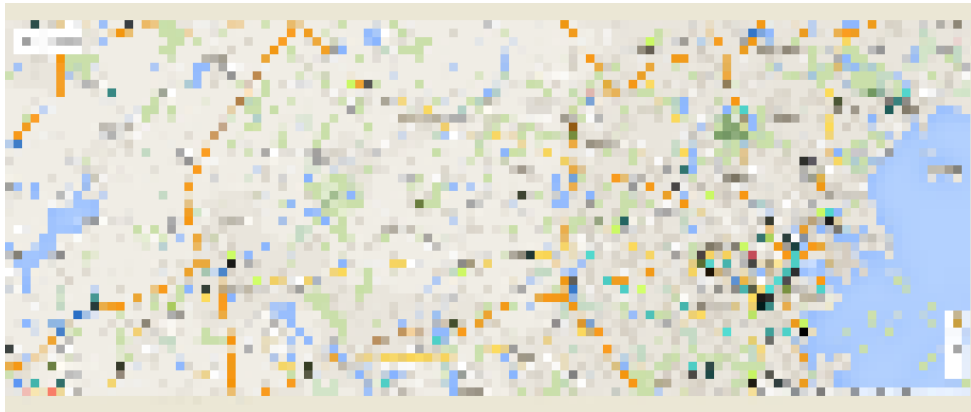
To further reduce the number of crashes involving passenger carriers, UMassSafe examined those crashes by MSP Troop. As outlined below, Troops H and D had the largest number of crashes involving buses in 2015.

Massachusetts Crashes Involving a Bus, by Troop & Calendar Year 2010-2015*

MSP TROOP	2011	2012	2013	2014	2015
A	60	83	75	68	31
B	77	57	47	34	17
C	63	70	51	38	17
D	92	78	56	50	35
H	103	112	83	63	49

Data Source: UMassSafe Traffic Safety Data Warehouse using SafetyNet data, Snapshot - June 2016

The MSP utilize a mapping and data analysis tool developed by UMassSafe, as shown below, to identify areas for targeted enforcement based on crash locations.

Massachusetts Bus Crashes Near Boston, 2014-2016

Data Source: UMassSafe Traffic Safety Data Warehouse using SafetyNet data, Snapshot June 2016

Passenger Carrier Roadside Inspections

As shown in the table below there were more than 1,800 passenger carrier inspections per year, with the vast majority conducted on motorcoaches and buses.

Massachusetts Passenger Carrier Inspections by Vehicle Type

Vehicle Type	FY2014		FY2015		FY2016	
	Total	% of Total	Total	% of Total	Total	% of Total
Motorcoaches	705	33.60%	519	28.66%	650	35.93%
School Buses	41	1.95%	48	2.65%	26	1.44%
Vans	481	22.93%	390	21.54%	437	24.16%
Limousines	127	6.05%	187	10.33%	153	8.46%
Buses	744	35.46%	667	36.83%	543	30.02%
Total	2,098	100.00%	1,811	100.00%	1,809	100.00%

Data Source: FMCSA Motor Carrier Management Information System (MCMIS) 6/24/2016 data snapshot – https://ai.fmcsa.dot.gov/ProgramReport/pcReport.aspx?rpt=reg_ROI.

Furthermore, passenger carrier enforcement by activity type was examined, as documented below. There were more than 130 traffic enforcement inspections each year, with 28- 47 moving violations and 91-111 non-specified state law/miscellaneous violations per year for those inspections. In addition, there were 156-164 traffic enforcement violations per year including 29-48 moving violations and 109-134 non-specified state law/miscellaneous violations per year.

Massachusetts Passenger Vehicle Enforcement by Activity Type

	FY 2014	FY 2015	FY 2016
Activity Summary	Total	Total	Total
Number of Traffic Enforcement Inspections	137	136	133
With Moving Violations	29	28	47
With Drug & Alcohol Violations	1	0	0
With Railroad Crossing Violations	0	0	0
With Non-Specified State Law/Miscellaneous Violations	111	109	91
Number of Traffic Enforcement Violations	164	156	157
Moving Violations	29	29	48
Drug & Alcohol Violations	1	0	0
Railroad Crossing Violations	0	0	0
Non-Specified State Law/Miscellaneous Violations	134	127	109

Data Source: FMCSA Motor Carrier Management Information System (MCMIS) 6/24/2016 data snapshot - <https://ai.fmcsa.dot.gov/SafetyProgram/spRptRoadside.aspx?rpt=TEAS>.

*Due to system outages, 2015 data is not complete.

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

To increase the number of passenger carrier inspections by 20% from 1,816 in FY16 to date to 2,173 by the end of 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 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 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: Additional information regarding how these activities will be implemented.

In addition to conducting the inspections, enforcement activities, CSAs, public education/awareness and effective data collection outlined above, Massachusetts will participate in national and regional strike force task force activities.

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

The State will monitor and evaluate the passenger transportation safety activities through a monthly and annual evaluation of activities, inspections, enforcement efforts, CSAs, and presentations as the milestones and performance measures outlined in the above activities.

The State will monitor and evaluate the effectiveness of our Passenger Carrier Enforcement goals quarterly and annually by evaluating both the number and percent of passenger carrier inspections.

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

Instructions:

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

Check this box if:

As evidenced by the data provided by FMCSA, the State identifies at least 85% of carriers operating under a federal Out-of-Service (OOS) order during roadside enforcement activities and will not establish a specific reduction goal. However, the State will maintain effective enforcement of Federal OOS orders during roadside inspections and traffic enforcement activities. If this box is checked, no additional narrative is necessary..

5 - Hazardous Materials Transportation Safety

Instructions:

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

Check this box if:

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

Problem Statement Narrative: Describe problem identified by performance data.

There were no HazMat related fatalities in 2015 and only one in 2014. However, the Out of Service (OOS) violation rate for Massachusetts roadside inspections is consistently more than twice the national rate. For FY15 and FY16 to date, the Massachusetts HazMat OOS rate was 11.84% and 15.82% as compared to 3.90% each year nationally.

As shown below, even with a decline in the number of HazMat inspections, there had been an appreciable decrease in the OOS rate from FY14 to FY15. However, in FY16 to date the rate has increased.

Hazardous Material Out-of-Service Rate, Calendar Year 2010-2015

OOS Rate	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Driver Inspections*	2,420	2,280	1,831	1,610	929
With Driver OOS Violation	98	62	84	66	52
Driver OOS Rate	4.05%	2.72%	4.59%	4.10%	5.60%
Vehicle Inspections**	2,098	2,127	1,712	1,503	860
With Vehicle OOS Violation	694	698	616	532	365
Vehicle OOS Rate	33.08%	32.82%	35.98%	35.40%	42.44%
HazMat Inspections***	2,435	2,290	1,866	1,613	942
With HazMat OOS Violation	304	285	248	191	149
HazMat OOS Rate	12.48%	12.45%	13.29%	11.84%	15.82%

Data Source: FMCSA Motor Carrier Management Information System (MCNIS) data snapshot as of 6/24/2015 - <https://ai.fmcsa.dot.gov/HazmatStat/hmRoadside.aspx?rpt=RIOOS>.

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

To increase the number of HazMat inspections by 20% from projected 1,406 in FY16 to 1,700 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 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 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: Provide additional information regarding how these activities will be implemented.

In addition to conducting the inspections, enforcement activities, CSAs, public education/awareness and effective data collection outlined above, Massachusetts will continue to implement the following activities:

- Enforce HazMat regulations with particular emphasis on ensuring that cargo tank carriers are transporting HazMat in appropriate vehicles through roadside inspections and on-site investigations.
- Conduct bi-weekly (January to March) HazMat inspections in specific high risk corridors with special emphasis on cargo tank facilities and carriers;
- Monitor cargo tank carriers with High OOS rates, PHMSA reported spills and CSA scores;
- Participate in national enforcement strike forces;
- Maintain an increased focus on the compliance of HM motor carriers, shippers and bulk package transporters during safety interventions; including CSA interventions, roadside inspections, Multi-Agency Strike Force Operations (MASFO) and annual road checks;
- Maintain inspection certifications, including training and refresher courses as needed. Develop HM policing plan.

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

The State will monitor and evaluate the effectiveness of its hazardous materials transportation safety activities through a monthly and annual review of the inspection data as well as enforcement in HM corridors, percent of HM inspections near seaports and railheads, numbers of on-site HM enforcement strike forces, and number of personnel with inspection certifications.

To monitor and evaluate the effectiveness of the hazardous materials transportation safety objective, Massachusetts will measure the number and locations of HM inspections on a monthly basis against the FY15 and FY16 baseline data as well as examine our overall progress on a quarterly and annual basis.

6 - State-Identified Objective (Optional)

Instructions:

Describe any other identified State-specific objectives.

State Objective #1

Enter the title of your State-Identified Objective.

Worker Safety on Roadways

Problem Statement Narrative: Describe problem identified by performance data.

In Massachusetts, CMVs have twice as many crashes in work zones as other motor vehicles. Of all crashes involving CMVs in 2015*, more than 4% occurred in work zones compared to only 1.9% of Non-CMV crashes. Additionally, until 2015, there was a decreasing trend in work zone crashes for both CMV and Non-CMVs, but in 2015, CMV crashes in work zones increased. Furthermore, in 2015, 40% of CMV crashes in work zones involved an injury or fatality which is far higher than that for Non-CMV crashes in work zones. UMassSafe provided the MSP with extensive findings of a work zone crash data analysis to use in planning prevention countermeasures. *Due to system outages, 2015 data is not complete. Data Source: UMassSafe Traffic Safety Data Warehouse (using Registry of Motor Vehicles Crash data), Snapshot- June 2016

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

Conduct 2,500 truck inspections in work zones in FY17. Unfortunately no baseline data is available.

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).

The CVES will also enforce the Move Over Law in work zones.

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

The CMV work zone goal will be measured by a quarterly review of inspections in work zones as well as a review of associated citations for the Move Over Law.

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.

The CVES operates a mixture of fixed weight station and mobile patrols in High Crash Corridors. Level 1 inspections are conducted at the weekly Weight Station Operations. Since 2008 every Massachusetts registered CMV power unit and trailer is required to have a State Inspection that conforms to Appendix G (see Federal Register 73 FR 63040). Roadside inspectors ensure a valid State Inspection or CVSA decal is present on each truck or trailer during inspections in Mass. The additional MCSAP funding in the 2017 NOFA will be directed at deterring behaviors correlated to crash risk. An increase in Level 3 / Traffic Enforcement and Level 2 inspections will be conducted in High Crash Corridors where the infrastructure for conducting Level 1 inspections does not exist (therefore Level 1 inspections may comprise less than 25% of total inspections.)

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: MASSACHUSETTS STATE POLICE

Enter the total number of certified officers in the Lead agency: 28

FY 2017 Driver/Vehicle Inspection Goals					
	Estimated Performance Goal				
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1	2000	800	100	2900	15.57%
Level 2	8000	400	700	9100	48.87%
Level 3	6000	500	120	6620	35.55%
Level 4	0	0	0	0	0.00%
Level 5		0		0	0.00%
Level 6	0	0	0	0	0.00%
Sub-Total Lead Agency	16000	1700	920	18620	

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: NA

Enter the total number of certified officers in this funded agency: 0

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

Non-Funded Agencies

Enter the number of non-funded agencies:	1
Enter the total number of non-funded certified officers:	1

Summary

Total FY 2017 Driver/Vehicle Inspection Goals For Lead, Funded and Non-Funded Agencies					
MCSAP Lead Agency: MASSACHUSETTS STATE POLICE					
# certified officers: 28					
Funded Agencies: NA					
# certified officers: 0					
Number of Non-Funded Agencies: 1					
# certified officers: 1					
	Estimated Performance Goal				
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1	2000	800	100	2900	15.57%
Level 2	8000	400	700	9100	48.87%
Level 3	6000	500	120	6620	35.55%
Level 4	0	0	0	0	0.00%
Level 5		0		0	0.00%
Level 6	0	0	0	0	0.00%
Total ALL Agencies	16000	1700	920	18620	

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.

The Statewide CMV traffic enforcement program is a comprehensive program targeting unsafe driver behaviors associated with Massachusetts specific crash causation factors in high crash regions during high crash times of day and days of week as determined by UMassSafe conducted crash data analysis. 28 sworn personnel and 2 civilian personnel will be used for the implementation of the program. Targeting both CMV and non-CMV involvement in crashes, the CVES conducts highly visible enforcement. The goal is to maintain the MSP CVES annual level of effort in traffic enforcement associated with and without inspections.

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	7000
<input checked="" type="radio"/>	<input type="radio"/>	CMV without Inspection	100
<input checked="" type="radio"/>	<input type="radio"/>	Non-CMV	200
<input type="radio"/>	<input checked="" type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	0

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.

NA

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

One investigator will conduct an estimated 8 carrier interventions in FY17.

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.

One investigator will be trained and assigned to FMCSA to conduct an estimated 8 carrier investigations.

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

The State will review the number of carrier interventions quarterly.

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

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



Our State does not conduct reviews/investigations.

FY 2017 Carrier Investigation Goals		
Review/Investigation Type	Interstate Goals	Intrastate Goals
Rated and Non-rated Reviews (Excludes CSA & SCRs)		
Non-HM Cargo		0
Passenger		0
HM		0
Rated and Non-rated Reviews (Excludes CSA & SCRs) Total	0	0
CSA Off-Site Investigations		
Non-HM Cargo CSA Off-Site	0	0
Passenger CSA Off-Site	0	0
HM CSA Off-Site	0	0
CSA Off-Site Investigations Sub-total	0	0
CSA On-Site Focused Investigations		
Non-HM Cargo CSA On-Site Focused	4	0
Passenger CSA On-Site Focused	0	0
HM CSA On-Site Focused	0	0
CSA On-Site Focused Investigations Sub-total	4	0
CSA On-Site Comprehensive		
Non-HM Cargo CSA On-Site Comprehensive	2	0
Passenger CSA On-Site Comprehensive	2	0
HM CSA On-Site Comprehensive	0	0
CSA On-Site Comprehensive Sub-total	4	0
CSA Investigations (all Types) Total	8	0
HM-Related Review Types		
Security Contact Reviews (SCRs)	0	0
Cargo Tank Facility Reviews	0	0
Shipper Reviews	0	0
HM-Related Review Types Total	0	0
ALL REVIEW TYPES GRAND TOTAL	8	0

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

4 - Public Education & Awareness

Instructions:

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

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

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

To conduct 17 public education and awareness activities on passenger transportation, safety belts, hazardous materials. general crash reduction and best safety practices.

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	5
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	1
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	1
<input checked="" type="radio"/>	<input type="radio"/>	State-sponsored outreach events	1
<input checked="" type="radio"/>	<input type="radio"/>	Local educational safety events	1
<input checked="" type="radio"/>	<input type="radio"/>	Teen safety events	8

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

As outlined above.

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

The performance measurement used is the number of safety presentations and classes conducted monthly. The MSP CVES Commander will review monthly for both content and subject matter. In addition, the Commander will review feedback and comments from motor carriers and driving schools.

The MSP CVES will report the quantity, duration and number of attendees in its quarterly Performance Progress Report.

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:

Massachusetts 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.

The CVES employs three full time and one part time officer to conduct New Entrant Investigations. Two investigators are deployed regionally and one officer is the program administrator.

The program administrator vets the applicant to ensure a review is needed, assigns investigations, and monitors the queue to ensure the audits are completed in a timely manner.

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

The CVES utilizes a combination of off site and on site audits. Approximately 60 percent of audits are conducted off site and 40 percent on-site.

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 program administrator: monitors the queue, makes assignments, check audits for completeness and accuracy, assembles

monthly activity / performance reports, and provides a monthly and quarterly performance report.

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

Summary of Anticipated Activities		
Number of Safety Audits/Non-Audit Resolutions	Interstate	Intrastate
# of Safety Audits (Onsite)	200	0
# of Safety Audits (Offsite)	350	0
TOTAL Safety Audits	550	0
# of Non-Audit Resolutions	300	0

Spending Plan

B&I Spending Plan

What is a Spending Plan?

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

What does a Spending Plan do?

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

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

The spending plan serves a number of critical functions:

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

1 - Spending Plan: Personnel**What different types of costs do I need to put in my Spending Plan?**

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

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

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

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

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

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

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

Allowable amount for Overtime (15% of total award amount without justification): \$703,234.00

Personnel Spending Plan Narrative								
Salary Information								
Position(s)	# of Staff	% of Time	Work Year Hours	Hourly Rate	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Regular Salary	16	83.02	2080	\$65.51	\$1,809,979.46	\$1,538,446.00	\$271,490.00	\$1,978,559.70
Sub-Total Salary					\$1,809,979.46	\$1,538,446.00	\$271,490.00	\$1,978,559.70
Overtime Information								
Overtime	30	11.61	2080	\$80.60	\$583,917.98	\$496,330.00	\$87,588.00	\$732,490.46
Sub-Total Overtime					\$583,917.98	\$496,330.00	\$87,588.00	\$732,490.46
TOTAL PERSONNEL					\$2,393,897.44	\$2,034,776.00	\$359,078.00	\$2,711,050.16

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

Costs are based upon FMCSA policies and guidance, the FMCSA grants manuals, and OMB circulars. MCSAP activities delineated in this eCVSP are funded by MCSAP funds. Without MCSAP funding, these activities would not be conducted. The State Police has adequate policies and monitoring to ensure compliance with federal grant rules.

There are 2 civilian and 28 sworn personnel assigned to the Commercial Vehicle Enforcement Section. MCSAP funds only support MCSAP activities.

Funding for staffing is provided in the following manner:

1. 1 Full-time civilian administrative personnel assigned to MCSAP and funded by MCSAP grant 85 % / 15% state match.
2. 1 Full-time civilian administrative personnel assigned to MCSAP part-time and funded by MCSAP 50% / 50% state match.
3. 13 Troopers assigned to MCSAP program. Their daily activities are divided 1/3 MCSAP, 1/3 Weights, 1/3 other. The MCSAP hours are verified by daily activity sheets. MCSAP funds are utilized to fund 29.75% of these full-time positions.
4. 1 Lieutenant commander whose activities are divided 1/3 MSCAP, 1/3 Weights, 1/3 other.
5. All sworn personnel perform off-hour MCSAP inspections as part of the MCSAP program. This time is tracked by a separate activity sheet and operational activity reports are maintained and verified by administrative staff. Since the overtime rate is equal to the regular hourly rate plus one-half of regular hourly rate, only 1/3 of the overtime rate is assessed against the Overtime line in the budget. The other 2/3 of the overtime pay (regular hourly rate) is assessed against the Regular Salary line in the budget. So, the regular salary amount above represents 1/3 regular time plus 2/3 of the overtime. The calculation fields above make this difficult to represent.
6. ***Please see attached excel spreadsheet with detailed breakdown of salary calculation.**

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
Fringe Benefits	42.82	\$642,117.00	\$274,954.50	\$233,711.33	\$41,243.18	\$667,071.00
Payroll Tax	1.66	\$2,392,954.00	\$39,723.04	\$33,764.58	\$5,958.46	\$43,512.00
Sub-Total Fringe Benefits			\$314,677.54	\$267,475.91	\$47,201.64	\$710,583.00

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

These rates are established by the Commonwealth of Massachusetts and the cognizant federal agency – The US Department of Justice.

The Fringe rate effective 7/1/2016 is 42.82%. Fringe benefit is only assessed against regular salary.

The Payroll Tax rate effective 7/1/2016 is 1.66%. Payroll tax is assessed against both regular salary and overtime.

*Please see attached excel spreadsheet with detailed breakdown of fringe and payroll tax calculation.

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
Training Travel	3	2	\$5,000.00	\$4,250.00	\$750.00	\$422.00
Conference Travel	3	3	\$4,000.00	\$3,400.00	\$600.00	\$7,435.00
Routine MCSAP Travel	3	3	\$5,000.00	\$4,250.00	\$750.00	\$17,877.00
Sub-Total Travel			\$14,000.00	\$11,900.00	\$2,100.00	\$25,734.00

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

Training travel is for NTC approved and required courses for Troopers who are NTC Instructors. MCSAP funds are only used for FMCSA approved travel without exception. Travel includes CVSA conferences, Level 6 recertification, and the Annual Grants conference.

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: \$1,000

Equipment Cost Spending Plan Narrative						
Item Name	# of Items	Cost per Item	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Non-vehicle Equipment - Engine Software	1	\$8,500.00	\$8,500.00	\$7,225.00	\$1,275.00	\$57,500.00
Vehicles - trailers	2	\$5,000.00	\$10,000.00	\$8,500.00	\$1,500.00	\$275,827.00
Computers & Software	6	\$5,000.00	\$30,000.00	\$25,500.00	\$4,500.00	\$104,733.00
Sub-Total Equipment			\$48,500.00	\$41,225.00	\$7,275.00	\$438,060.00

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

Engine Software is needed for verifying hours of service compliance and providing digital evidence for 392.2S speeding violations. Purchase allowed per grants manual. The users are MCSAP funded personnel.

Two trailers are needed for transporting safety and operational equipment needed to support roadside inspection stations and mobile truck inspection operations. The equipment to be carried includes signs, cones, spill kits, tools, tent, coolers for water, flares, etc. The computer expense is for replacement of 6 older laptops that are 3-4 years old and running on out-dated windows operating system.

The laptops will be assigned to MCSAP funded personnel.

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
Printers	6		\$1,000.00	\$6,000.00	\$5,100.00	\$900.00	\$0.00
Uniform Parts	100		\$350.00	\$35,000.00	\$29,750.00	\$5,250.00	\$82,614.00
Office Supplies	100		\$32.99	\$3,299.00	\$2,804.52	\$494.92	\$4,246.00
Sub-Total Supplies				\$44,299.00	\$37,654.52	\$6,644.92	\$86,860.00

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

Three Troopers are assigned full-time to the MCSAP New Entrant program.

The printers are needed to replace older printers with quality and performance issues.

Uniform expense is for replacement uniform parts for inspectors to include patrol coats, boots, gloves, etc.

Office supplies are for general office office supplies, paper toner, etc. Equipment, computer, printer expenses are necessary for MCSAP funded personnel to perform FMCSA funded roadside inspections (100% allocation) .

6 - Spending Plan: Contractual

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

Contract means a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award.

Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

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

Contractual Cost Spending Plan Narrative				
Description of Services	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
UMASS - Data Analysis	\$50,000.00	\$42,500.00	\$7,500.00	\$149,999.00
Inspect - cloud application	\$23,000.00	\$19,550.00	\$3,450.00	\$0.00
Sub-Total Contractual	\$73,000.00	\$62,050.00	\$10,950.00	\$149,999.00

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

UMassSafe develops a data based CVSP, crash data analysis and enforcement planning as well as developing quarterly performance metrics and monitoring the data stream for possible issues that might affect the SSDQ rating. UMassSafe was selected following a statewide RFP solicitation.

An annual subscription to "INSPECT" will be purchased so that real-time inspection data is available road-side to the inspectors.

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	\$841,215.00	\$715,032.00	\$126,182.00	\$841,781.00

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
CVSA Decals	10000	each	\$0.25	\$2,500.00	\$2,125.00	\$375.00	\$0.00
Conference Fees	0		\$0.00	\$0.00	\$0.00	\$0.00	\$7,800.00
CVES Air cards, phones, data plans, internet services	12	months	\$1,666.67	\$20,000.04	\$17,000.03	\$3,000.01	\$0.00
Equipment - Non-Vehicle	5	each	\$2,000.00	\$10,000.00	\$8,500.00	\$1,500.00	\$0.00
Equipment - Other Vehicle Equipment	100	each	\$185.00	\$18,500.00	\$15,725.00	\$2,775.00	\$0.00
CVSA Dues	1	annual	\$11,000.00	\$11,000.00	\$9,350.00	\$1,650.00	\$9,557.00
CVES Mail Machine	1	annual	\$3,500.00	\$3,500.00	\$2,975.00	\$525.00	\$0.00
Training Fees - Crash Investigations	1		\$30,000.00	\$30,000.00	\$25,500.00	\$4,500.00	\$33,852.00
Training Fees - Hazwoper	1		\$5,000.00	\$5,000.00	\$4,250.00	\$750.00	\$0.00
Training Fees - CMVE Reconstruction	1		\$30,000.00	\$30,000.00	\$25,500.00	\$4,500.00	\$0.00
Fuel Costs	1	annual	\$0.00	\$0.00	\$0.00	\$0.00	\$70,427.00
Maintenance of Vehicles	1	annual	\$0.00	\$0.00	\$0.00	\$0.00	\$22,002.00
Fuel/Maintenance /Space Rental for Buildings	1	annual	\$0.00	\$0.00	\$0.00	\$0.00	\$53,056.00
Sub-Total Other Costs				\$130,500.04	\$110,925.03	\$19,575.01	\$196,694.00

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

t: The indirect rate is established by the Commonwealth of Massachusetts and the cognizant federal agency – The US Department of

Justice. The indirect rate is assessed against regular salary and overtime. The FY16 approved rate effective 11/1/2015 is 35.14%.

CVES air cards, phones, data plans are for communications necessary to upload to FMCSA systems. This covers the cost of air cards and data plans for cell phones and iPads as well as the internet services for the CVES unit in Concord.

Equipment - Non-Vehicle is for replacement of PBTs, LIDARS, Radars, etc.

Equipment - Other Vehicle Equipment expense is to provide float/spot lights, push bumpers, bumper covers, police lights, and CB radios for CVES vehicles. The Department of State Police purchases the vehicles with its own funds.

Training Fees - Crash Investigation: For fees associated with commercial motor vehicle crash investigation training for Collision Analysis and Reconstruction Section (CARS) troopers. The fee is the class instructor cost to provide the class in Massachusetts at the State Police Academy.

Training Fees - Hazwoper: HazMat training provided for troopers in order to stay in compliance with state laws.

Training Fees - CMVE Reconstruction: For fees associated with commercial motor vehicle crash reconstruction training for Collision Analysis and Reconstruction Section (CARS) troopers.

8 - Spending Plan**Instructions:**

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

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$3,984,991.00	\$703,234.00	\$4,688,225.00

Allowable amount for Overtime (15% of total award amount without justification): \$703,234.00

Maximum amount for Non-CMV Traffic Enforcement (10% of Basic funding amount): \$345,357.00

Personnel (Payroll Costs)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Regular Salary	\$1,538,446.00	\$271,490.00	\$1,809,936.00	\$1,978,559.70
Overtime	\$496,330.00	\$87,588.00	\$583,918.00	\$732,490.46
Subtotal for Personnel	\$2,034,776.00	\$359,078.00	\$2,393,854.00	\$2,711,050.16

Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Payroll Tax	\$33,764.58	\$5,958.46	\$39,723.04	\$43,512.00
Fringe Benefits	\$233,711.33	\$41,243.18	\$274,954.51	\$667,071.00
Subtotal for Fringe Benefits	\$267,475.91	\$47,201.64	\$314,677.55	\$710,583.00

Program Travel				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Training Travel	\$4,250.00	\$750.00	\$5,000.00	\$422.00
Conference Travel	\$3,400.00	\$600.00	\$4,000.00	\$7,435.00
Routine MCSAP Travel	\$4,250.00	\$750.00	\$5,000.00	\$17,877.00
Subtotal for Program Travel	\$11,900.00	\$2,100.00	\$14,000.00	\$25,734.00

Equipment				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Non-vehicle Equipment - Engine Software	\$7,225.00	\$1,275.00	\$8,500.00	\$57,500.00
Vehicles - trailers	\$8,500.00	\$1,500.00	\$10,000.00	\$275,827.00
Computers & Software	\$25,500.00	\$4,500.00	\$30,000.00	\$104,733.00
Subtotal for Equipment	\$41,225.00	\$7,275.00	\$48,500.00	\$438,060.00

Supplies				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Printers	\$5,100.00	\$900.00	\$6,000.00	\$0.00
Uniform Parts	\$29,750.00	\$5,250.00	\$35,000.00	\$82,614.00
Office Supplies	\$2,804.52	\$494.92	\$3,299.44	\$4,246.00
Subtotal for Supplies	\$37,654.52	\$6,644.92	\$44,299.44	\$86,860.00

Contractual (Subgrantees, Consultant Services, etc.)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
UMASS - Data Analysis	\$42,500.00	\$7,500.00	\$50,000.00	\$149,999.00
Inspect - cloud application	\$19,550.00	\$3,450.00	\$23,000.00	\$0.00
Subtotal for Contractual	\$62,050.00	\$10,950.00	\$73,000.00	\$149,999.00

Other Expenses				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
CVSA Decals	\$2,125.00	\$375.00	\$2,500.00	\$0.00
Conference Fees	\$0.00	\$0.00	\$0.00	\$7,800.00
CVES Air cards, phones, data plans, internet services	\$17,000.03	\$3,000.01	\$20,000.04	\$0.00
Equipment - Non-Vehicle	\$8,500.00	\$1,500.00	\$10,000.00	\$0.00
Equipment - Other Vehicle Equipment	\$15,725.00	\$2,775.00	\$18,500.00	\$0.00
CVSA Dues	\$9,350.00	\$1,650.00	\$11,000.00	\$9,557.00
CVES Mail Machine	\$2,975.00	\$525.00	\$3,500.00	\$0.00
Training Fees - Crash Investigations	\$25,500.00	\$4,500.00	\$30,000.00	\$33,852.00
Training Fees - Hazwoper	\$4,250.00	\$750.00	\$5,000.00	\$0.00
Training Fees - CMVE Reconstruction	\$25,500.00	\$4,500.00	\$30,000.00	\$0.00
Fuel Costs	\$0.00	\$0.00	\$0.00	\$70,427.00
Maintenance of Vehicles	\$0.00	\$0.00	\$0.00	\$22,002.00
Fuel/Maintenance/Space Rental for Buildings	\$0.00	\$0.00	\$0.00	\$53,056.00
Subtotal for Other Expenses including Training & Conferences	\$110,925.03	\$19,575.01	\$130,500.04	\$196,694.00

Total Costs				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Direct Costs	\$2,566,006.46	\$452,824.57	\$3,018,831.03	\$4,318,980.16
Indirect Cost	\$715,032.00	\$126,182.00	\$841,214.00	\$841,781.00
Total Costs Budgeted	\$3,281,038.46	\$579,006.57	\$3,860,045.03	\$5,160,761.16

Spending Plan (Sub-Grantee: MASSACHUSETTS REGISTRY OF MOTOR VEHICLES)**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): \$703,234.00

Personnel Spending Plan Narrative								
Salary Information								
Position(s)	# of Staff	% of Time	Work Year Hours	Hourly Rate	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Sub-Total Salary					\$0.00	\$0.00	\$0.00	\$0.00
Overtime Information								
Overtime		100	2080		\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total Overtime					\$0.00	\$0.00	\$0.00	\$0.00
TOTAL PERSONNEL					\$0.00	\$0.00	\$0.00	\$0.00

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

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			\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total Fringe Benefits			\$0.00	\$0.00	\$0.00	\$0.00

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

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
Sub-Total Travel			\$0.00	\$0.00	\$0.00	\$0.00

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

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
Sub-Total Equipment			\$0.00	\$0.00	\$0.00	\$0.00

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

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
Sub-Total Supplies				\$0.00	\$0.00	\$0.00	\$0.00

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

6 - Spending Plan: Contractual

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

Contract means a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award.

Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

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

Contractual Cost Spending Plan Narrative				
Description of Services	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
PRISM OM	\$250,000.00	\$212,500.00	\$37,500.00	\$0.00
Sub-Total Contractual	\$250,000.00	\$212,500.00	\$37,500.00	\$0.00

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

The Registry of Motor Vehicles will be provided funds for costs associated with the implementation and operation and maintenance (O&M) of participation in the Performance and Registration Information Systems Management (PRISM). The nature of the relationship between the RMV and MSP has not been defined at this point.

7 - Spending Plan: Other Costs

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

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

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

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

Other Costs Spending Plan Narrative

Item Name	# of Units/Items	Unit of Measurement	Cost per Unit	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Sub-Total Other Costs				\$0.00	\$0.00	\$0.00	\$0.00

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

8 - Spending Plan**Instructions:**

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

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$3,984,991.00	\$703,234.00	\$4,688,225.00

Allowable amount for Overtime (15% of total award amount without justification): \$703,234.00

Maximum amount for Non-CMV Traffic Enforcement (10% of Basic funding amount): \$345,357.00

Personnel (Payroll Costs)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Overtime	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal for Personnel	\$0.00	\$0.00	\$0.00	\$0.00

Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Overtime	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal for Fringe Benefits	\$0.00	\$0.00	\$0.00	\$0.00

Program Travel				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Program Travel	\$0.00	\$0.00	\$0.00	\$0.00

Equipment				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Equipment	\$0.00	\$0.00	\$0.00	\$0.00

Supplies				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Supplies	\$0.00	\$0.00	\$0.00	\$0.00

Contractual (Subgrantees, Consultant Services, etc.)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
PRISM OM	\$212,500.00	\$37,500.00	\$250,000.00	\$0.00
Subtotal for Contractual	\$212,500.00	\$37,500.00	\$250,000.00	\$0.00

Other Expenses				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Other Expenses including Training & Conferences	\$0.00	\$0.00	\$0.00	\$0.00

Total Costs				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Direct Costs	\$212,500.00	\$37,500.00	\$250,000.00	\$0.00
Total Costs Budgeted	\$212,500.00	\$37,500.00	\$250,000.00	\$0.00

Comprehensive Budget

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

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$3,984,991.00	\$703,234.00	\$4,688,225.00

Cost Summary by Budget Category				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Personnel Total	\$2,308,356.32	\$407,356.88	\$2,715,713.20	\$2,711,050.16
Fringe Benefit Total	\$389,164.36	\$68,676.07	\$457,840.43	\$710,583.00
Program Travel Total	\$11,900.00	\$2,100.00	\$14,000.00	\$25,734.00
Equipment Total	\$41,225.00	\$7,275.00	\$48,500.00	\$438,060.00
Supplies Total	\$37,654.52	\$6,644.92	\$44,299.44	\$86,860.00
Contractual Total	\$274,550.00	\$48,450.00	\$323,000.00	\$149,999.00
Other Expenses Total	\$110,925.03	\$19,575.01	\$130,500.04	\$196,694.00
Total Costs				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Direct Costs	\$3,173,775.23	\$560,077.88	\$3,733,853.11	\$4,318,980.16
Indirect Costs	\$811,167.15	\$143,147.15	\$954,314.30	\$841,781.00
Total Costs Budgeted	\$3,984,942	\$703,226	\$4,688,168	\$5,160,761

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.

MASSACHUSETTS

Enter Name of Lead MCSAP Agency: Massachusetts State Police

MCSAP MAINTENANCE OF EFFORT (MOE) SUBSTANTIATION TEMPLATE

FEDERAL FISCAL YEAR (FFY): 2015 (10/1/2014-9/30/2015)

LEAD AGENCY MCSAP-ELIGIBLE EXPENDITURES for FFY 2015 (October 1, 2014 through September 30, 2015)		FFY 2015 TOTAL MCSAP ELIGIBLE
Personnel (Payroll Costs)		
Salary		\$1,978,559.70
Overtime (Allowed Basic and Incentive Funded)		\$732,490.46
Other Payroll Costs - payroll tax (1.59%=7/1/14-6/15/16; 1.65%=7/1/15-6/30/16)		\$43,512.36
(Specify)		
Subtotal for Personnel		\$2,754,562.52
Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.)		
Approved Fringe Benefits Rate (32.48%=7/1/14-6/30/15; 37.42%=7/1/15-6/30/16)		\$667,071.40
(Specify)		
Subtotal for Fringe Benefits		\$667,071.40
Program Travel		
Routine MCSAP-related Travel (Lodging/Meal Allowance)		\$17,877.18
Conference Travel		\$7,435.00
Training Travel		\$422.00
(Specify)		
Subtotal for Program Travel		\$25,734.18
Equipment		
Vehicles and Related Vehicle Equipment		
Vehicles		\$275,827.00
Other Inspection Vehicle Equipment (Radios, etc.)		\$57,500.67
(Specify)		
Subtotal for Vehicles and Related Vehicle Equipment		\$333,327.67
Non-Vehicle Equipment		
Other Equipment (Not included above)		
(Specify)		
Subtotal for Non-Vehicle Equipment		\$0.00
Subtotal for Equipment		\$333,327.67
Supplies		
Office Supplies		\$4,246.46
Uniforms and Other Related Supplies		\$82,614.20
Computers		\$104,733.16
Printers		
(Specify)		
Subtotal for Supplies		\$191,593.82
Contractual (Sub Grantees, Consultant Services, etc.)		

Lease Cost of MCSAP Vehicles	
UMASS Safe Research	\$149,999.00
Subtotal for Contractual	\$149,999.00
Other Expenses	
Training Costs (Tuition, materials, etc.)	\$33,852.10
CVSA Decals	
Conferences Costs (Registration fees, etc.)	\$7,800.00
Fuel Costs	\$70,427.18
Repair and Maintenance of Vehicles Not Under Contract	\$22,002.62
Fleet Cost (Mileage/Repairs)	
Communications (air cards, mobile phones, etc.)	
Fuel/Maintenance/Space Rental for Buildings	\$53,056.99
CVSA Dues	\$9,557.26
Subtotal for Other Expenses including Training & Conferences	\$196,696.15
TOTAL DIRECT COSTS	\$4,318,984.74
TOTAL APPROVED INDIRECT COSTS (31.05% - 8/1/2014 - 11/1/2015)	\$841,781.07
TOTAL MCSAP ELIGIBLE COSTS EXPENDED	\$5,160,765.82
Federal Grant Funds Awarded	\$2,947,919.00
Associated State Matching Funds	\$736,980.00
Total Grant Related Funds Expended	\$3,684,899.00
Total MOE Funds Expended	\$1,475,866.82
CERTIFICATION AND VALIDATION OF FFY 2015 MOE EXPENDITURES	
TOTAL MOE BASELINE (MAP-21 Baseline years of 2004 and 2005)	\$335,450.37
TOTAL MOE EXPENDITURES	\$1,475,866.82
<p>I hereby certify as follows that the information included in this template is true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable federal law:</p> <p>(1) The State lead MCSAP agency has validated and met the minimum MOE baseline expenditure amount for FFY 2015.</p> <p>(2) All Lead Agency expenditures included in the template are MCSAP-eligible.</p> <p>(3) Supporting documents are available for review by the Federal Motor Carrier Safety Administration upon request.</p>	
NAME AND TITLE OF STATE OFFICIAL :	DATE:
<i>Richard McKeon</i> COL/SVPT.	8/20/16
EMAIL ADDRESS FOR CERTIFYING OFFICIAL:	PHONE NUMBER:
richard.mckeon@massmail.state.ma.us	508-820-2350

Footnote:

¹ 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.

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

OVERVIEW

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

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

PURPOSE

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

SUBMISSION INSTRUCTIONS

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

By E-mail:

FMCSA_GrantMgmtHelpdesk@dot.gov, or

By Telephone:

(202) 366-0621

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

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

PART I – Contact Information		
1.	Dun and Bradstreet Data Universal Numbering System (DUNS) Number for your Organization	878700798
2.	Organization legal name associated with the DUNS	Massachusetts State Police
3.	Address associated with your DUNS Number	470 Worcester Rd, Framingham, MA 01702
4.	Name of the primary application point of contact (POC) for the information contained in the ACQ	Deborah J. Broderick
5.	POC Phone Number	508-820-2146
6.	POC E-mail Address	Deborah.broderick@state.ma.us

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

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

PART III – Audit History		
1.	Is your accounting system accrual based or cash based?	cash
2.	Is your accounting system manual, automated, or a combination?	automated
3.	Has an audit been performed on the organization's financial statement?	yes
4.	What was the audit opinion?	acceptable
5.	If your organization has expended more than \$500,000 in Federal grant funds within the last year, has OMB A-133 Audit been performed?	Yes, single state audit
6.	If yes, were there any major findings?	No findings
7.	In no, please explain why an audit was not performed.	
8.	If your organization was subject to any other audits in the last two years (e.g., Office of Inspector General (OIG), programmatic, State) please describe whether or not there were audit findings.	

PART IV – Administrative Capability		
<p>Instructions: Mark the appropriate box to the right for each item. If your organization meets the requirement, mark the box in the "Yes" column. If your organization does not meet the requirement described, mark the box in the "No/Explain" column. If applicable, provide explanations in the "No/Explain" column or in an attachment.</p>		
Capability Title	Yes	No/Explain
Financial Management (2 CFR Part 200 Subpart E Cost Principles)		

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

PART IV – Administrative Capability			
Instructions: Mark the appropriate box to the right for each item. If your organization meets the requirement, mark the box in the “Yes” column. If your organization does not meet the requirement described, mark the box in the “No/Explain” column. If applicable, provide explanations in the “No/Explain” column or in an attachment.			
Capability Title		Yes	No/Explain
1.	Does your organization provide procedures for determining the reasonableness, allocability and allowability of costs in accordance with the applicable cost principles?	X	
2.	Does your organization provide for effective control and accountability for all grant cash, real and personal property, and other assets?	X	
3.	Does your organization provide accurate, current, and complete disclosure of the financial results of the financially assisted activities required by the financial reporting requirements of the grant?	X	
4.	Does your organization permit preparation of reports required by the applicable statutes and regulations?	X	
5.	Does your organization permit the documentation of funds to a level of expenditure adequate to establish that funds have not been expended in violation?	X	
6.	Does your organization contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, expenditures, and income sufficient to identify the source and application of funds provided for financially-assisted activities?	X	
7.	Does your organization have an approved indirect cost rate with the Federal Government that covers the entire proposed period of performance for the grant application?		INDIRECT COST RATE AGREEMENT IS PENDING

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

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

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

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

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

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

PART V - CERTIFICATION AND SUBMISSION

CERTIFICATION OF APPLICANT'S AUTHORIZED REPRESENTATIVE (REQUIRED):

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

Name Deborah J. Broderick

Title Director of Finance

Signature 

Date 8/16/16

FY 2017 Certification of MCSAP Conformance (State Certification)

I Richard D. McKeon, Massachusetts State Police – Colonel/Superintendent, on behalf of the Commonwealth of Massachusetts, 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 Massachusetts State Police as the Lead State Agency to administer the Commercial Vehicle Safety Plan throughout the State for the grant sought and Massachusetts 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.

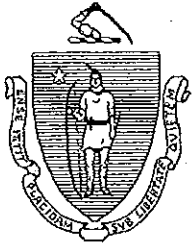
10. The State will ensure that CMV size and weight enforcement activities funded with MCSAP funds will not diminish the effectiveness of other CMV safety enforcement programs.
11. The State will ensure that violation sanctions imposed and collected by the State are consistent, effective, and equitable.
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 Jeff Larason.
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 8/26/16

Signature 



The Commonwealth of Massachusetts
Office of the Comptroller
One Ashburton Place, Room 901
Boston, Massachusetts 02108

THOMAS G. SHACK III
COMPTROLLER

PHONE (617) 727-5000
FAX (617) 727-2163
INTERNET: <http://www.mass.gov/osc>

October 8, 2015

Ms. Maribel Fournier
Chief Fiscal Officer
Department of Police
470 Worcester Road
Framingham, MA 01702

Dear Ms. Fournier:

The enclosed negotiation agreement involving the FY2016 indirect cost rate for the Department of Police (POL) represents an understanding between the Commonwealth and the U. S. Department of Justice concerning the rate that may be used to support a claim for Federal payment of indirect costs incurred for the performance of a Federal grant or contract. This rate was negotiated in accordance with OMB Circular A-87 and with regulations promulgated by the Secretary of Administration and Finance under Administrative Bulletin #5 (A&F5), dated May 1, 2008, entitled: "Fringe Benefits, Payroll Taxes and Indirect Costs".

The automated indirect cost recovery program used to assess POL's Federal grants and other non-budgetary accounts will be updated to reflect the approved FY2016 rate of 35.14% of regular employee salaries (subsidiary AA object code expenditures) beginning with the closing of Period 05 (November), BFY2016. The last approved rate of 31.05% currently in effect will expire at that time.

Also enclosed with this agreement is a schedule identifying the positions that have been included in the approved indirect cost rate. Since these positions have been approved for reimbursement through this rate, they may not be allocated under the Labor Cost Management System (LCM) or any other agency labor distribution plan without prior authorization of this office.

The above-referenced administrative regulations prohibit indirect costs from being budgeted on federal grants and trusts at any rate or amount less than that approved under this agreement without prior authorization of this office. Additionally, these positions may not be used to meet Federal matching requirements.

Jerry Stephenson is available at 617-973-2638 to answer any questions that you may have regarding this agreement.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryan Hightower".

Bryan Hightower,
Director, Federal Grants/Cost Allocation

SECTION II: GENERAL

LIMITATIONS: Use of the rate(s) contained in this agreement is subject to any statutory or administrative limitations and is applicable to a given grant or contract only to the extent that funds are available. Acceptance of the rate(s) agreed to herein is predicated on the conditions: (1) that no costs other than those incurred by the grantee/contractor were included in its indirect costs pool as finally accepted and that such costs are legal obligations of the grantee/contractor and allowable under the governing cost principles; (2) that the same costs that have been treated as indirect costs are not claimed as direct costs; (3) that similar types of costs have been accorded consistent accounting treatment; and (4) that the information provided by the grantee/contractor which was used as a basis for acceptance of the rate(s) agreed to herein is not subsequently found to be materially incomplete or inaccurate.

AUDIT: Adjustments to amounts resulting from audit of the cost allocation plan upon which the negotiation of this agreement was based will be compensated for in a subsequent negotiation.

ACCOUNTING CHANGES: The rate(s) contained in this agreement are based on the accounting system in effect at the time the proposal was prepared and the agreement was negotiated. Changes to the method of accounting for costs which affect the amount of reimbursement resulting from the use of this rate(s) require the prior approval of the office responsible for negotiating the rate(s) on behalf of the Government. Such changes include but are not limited to changes in the charging of a particular type of costs from indirect to direct. Failure to obtain such approval may result in subsequent cost disallowance.

FIXED RATE (S): The fixed rate (s) contained in this agreement is based upon estimate of the costs which will be incurred during the period for which the rate applies. When the actual costs for such period have been determined, an adjustment will be made in a subsequent negotiation to compensate for the difference between that cost used to establish the fixed rate and that which would have been used were the actual costs known at the time.

NOTIFICATION TO FEDERAL AGENCIES: Copies of this document may be provided to other Federal offices as a means of notifying them of the agreement contained herein.

SPECIAL REMARKS: Federal programs currently reimbursing indirect costs to this Department/Agency by means other than the rate(s) cited in this agreement should be credited for such costs and the applicable rate cited herein applies to the appropriate base to identify the proper amount of indirect costs allocated to the program.

COMMONWEALTH OF MASSACHUSETTS
INDIRECT COST RATE PROPOSAL
FISCAL YEAR FY2016
BASED ON FY2014 ACTUAL COSTS

DEPARTMENT: POLICE (POL)
DIVISION: ALL PROGRAMS

ADMINISTRATIVE POSITIONS IDENTIFIED AS INDIRECT

<u>POSITION TITLE</u>	<u>ACTUAL FY 2014</u>	
STATE POLICE LIEUTENANT	22,565,579	
STATE POLICE DETECTIVE LIEUTENANT	6,047,554	
STATE POLICE CAPTAIN	5,232,932	
STATE POLICE CAPTAIN OF DETECTIVES	509,498	
STATE POLICE MAJOR	2,351,122	
STATE POLICE LIEUTENANT COLONEL	575,942	
STATE POLICE DEP. SUPERINTENDENT	208,472	
STATE POLICE SUPERINTENDENT	225,158	\$37,716,258
BUREAU OF ADMINISTRATIVE SERVICES:		
FISCAL	830,476	
BUDGET	99,252	
PAYROLL	513,116	
PERSONNEL	1,122,599	
TRAINING ACADEMY	485,820	
FLEET	1,611,614	
SUPPLY/INVENTORY	302,705	4,965,582
BUREAU OF TECHNICAL SERVICES		
COMMUNICATIONS	7,812,090	
RECORDS	139,571	
MANAGEMENT INFORMATION (MIS)	68,769	
FINGERPRINT IDENTIFICATION (AFIS)	1,353,742	9,374,172
LESS:		
POL PERSONNEL ASSIGNED TO EPS		
TRAINING ACADEMY COST TO NON-POL OFFICERS (7.91%)*	(38,428)	(38,428)
AFIS COSTS TO NON-POL USERS (97.00%)*	(1,313,130)	(1,313,130)
COMMUNICATIONS TO LOCAL DEPARTMENTS	(6,823,707)	(6,823,707)
PERSONNEL ASSIGNED TO DISTRICT ATTORNEYS	(1,734,533)	
	<u>\$42,146,214</u>	6,164,489

* INCLUDES SALARIES OF LIEUTENANTS AND ABOVE

MASSACHUSETTS STATE POLICE TITLE VI PROGRAM COMPLIANCE PLAN

August 26, 2016



Colonel Richard D. McKeon

TITLE VI PROGRAM PLAN PURPOSE

The Massachusetts State Police (MSP) Title VI Program Plan is prepared in accordance with 49 Code of Federal Regulation 21 and 49 Code of Federal Regulation Part 303. This plan provides interested individuals with specific information that explains the Department's Title VI activities pertaining to organization and staffing, monitoring and review processes, complaint procedures, and Title VI assurances.

The provisions of this Title VI Program Plan apply to all recipients of Federal assistance with and through MSP. A recipient includes any public or private entity or any individual receiving the benefits of any Federal Motor Carrier Safety Administration Program. The program applies to all phases of MSP Operations.

TITLE VI PROGRAM POLICY STATEMENT

It is the Policy of the Massachusetts State Police, in accordance with Title VI of the Civil Rights Act of 1964 and the Assurances set forth in the Massachusetts State Police's Title VI Program Plan to ensure that "no person shall on the grounds of race, color, national origin, sex, age, disability, low-income or LEP, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity" for which the Massachusetts State Police receives Federal financial assistance. Furthermore, it shall be the policy of the Massachusetts State Police to ensure that as a recipient of Federal-aid funding, it will ensure non-discrimination in all of its programs and activities, whether Federally funded or not. The Massachusetts State Police is steadfast in its commitment to ensure the uniform adoption of this policy.

Accordingly, to ensure compliance with Title VI of the Civil Rights Act and related Nondiscrimination authorities, the Massachusetts State Police commits to:

1. Conducting and operating each of its programs and facilities in compliance with all requirements imposed by, or pursuant to, Title VI of the Civil Rights Act and related Nondiscrimination authorities;
2. Providing non-discriminatory methods of administration for programs and to give other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such programs will comply with all requirements imposed by Title VI of the Civil Rights Act and related Nondiscrimination authorities;
3. Promptly taking any measures necessary to effect compliance with Title VI of The Civil Rights Act and related Nondiscrimination authorities.

Further, the Massachusetts State Police's efforts to prevent discrimination will address, but not be limited to, a program's impact upon access, benefits, participation, treatment, services, contracting opportunities, training opportunities, and investigation of complaints.

In accordance with Federal Motor Carrier Safety Administration regulations as required by 49 Code of Federal Regulation 21 and 49 Code of Federal Regulation Part 303 the Massachusetts State Police has developed procedures for prompt processing and disposition of Title VI Program complaints. Any person believing the Massachusetts State Police or any of its sub-recipients has violated Title VI Program requirements in the administration of its programs or activities may file a complaint with the Massachusetts State Police's Diversity Officer.

Overall responsibility for this policy is assigned to the Superintendent of the Massachusetts State Police located at 470 Worcester Road, Framingham, MA 01702. The Diversity Officer is appointed as the Title VI Coordinator for the Massachusetts State Police and is responsible for coordinating the implementation of the Massachusetts State Police's Title VI Program with all Office Directors and affected personnel.

Individuals with questions or requiring additional information relating to the policy or the implementation of the Massachusetts State Police's Title VI Program should contact the Diversity Officer located at 470 Worcester Road, Framingham, MA 01702, or 508-820-2210.

Colonel Richard D. McKeon

Date

The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

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

Statutory/Regulatory Authorities

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

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

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

June 13, 2016

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

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

General Assurances

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

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

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

Specific Assurances

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

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

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

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

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

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

[Name of Recipient] gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the Department of Transportation under the **FMCSA Program**. This ASSURANCE is binding on [insert State], other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the FMCSA Program. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Colonel Richard D. McKeon
(Name of Recipient)

by _____
(Signature of Authorized Official)

DATED 8/26/16

June 13, 2016

APPENDIX A

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

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

June 13, 2016

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

APPENDIX B

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

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

(HABENDUM CLAUSE)

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

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

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

June 13, 2016

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

APPENDIX C

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

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

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

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

APPENDIX D

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

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

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

June 13, 2016

APPENDIX E

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

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

June 13, 2016

DESCRIPTION OF FEDERAL-AID PROGRAMS

The Massachusetts State Police (MSP) seeks to apply for Motor Carrier Safety Assistance Program (MCSAP) Basic and Incentive grants through the Federal Motor Carrier Safety Administration. On occasion, the MSP also seeks to obtain additional FMCSA grant funding through High Priority, Safety Data Improvement, and Performance and Registration Information Systems Management grant programs. As Massachusetts's lead MCSAP agency, as designated by our Governor, the MSP is responsible for developing strategies aimed at reducing crashes, injuries and fatalities involving large trucks and buses. The receipt of federal aid from the FMCSA enables the Massachusetts State Police to further our safety mission to the equal benefit of all those who travel our highways.



MASSACHUSETTS STATE POLICE TITLE VI PROGRAM NOTICE OF NONDISCRIMINATION RIGHTS AND PROTECTIONS TO PUBLIC/ BENEFICIARIES/PARTICIPANTS

The Massachusetts State Police hereby gives notice that it is the policy of the Department to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, E.O. 12898, and related Nondiscrimination authorities in all programs and activities. Title VI and related Nondiscrimination authorities require that no person in the United States shall, on the grounds of race, color, national origin, sex, age, disability, low-income or LEP, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Massachusetts State Police receives Federal financial assistance.

Any person who believes they have been aggrieved has a right to file a formal complaint with the Massachusetts State Police. Any such complaint must be in writing and filed with the Department's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. Charge of Title VI Discrimination Complaint Form can be obtained from the Diversity Officer by calling 508-820-2210. For more information regarding the Title VI Program, contact the Title VI Coordinator by calling 508-820-2210.

By the third quarter of 2017 this Title VI Program Policy Statement will be posted to The Massachusetts State Police webpage here:

http://www.mass.gov/eopss/agencies/msp/#.V7HJ_ygrJ2Q

TITLE VI PROGRAM TRAINING

Pursuant to guidelines established by Office of Diversity and Equal Opportunity and the Massachusetts Office on Disability, all agency heads, managers, supervisors, and employees attend mandatory diversity training within six months of hire. Upon hire all new employees receive web-based training that incorporates review of Title VI and Nondiscrimination-related policies.

Upon appointment, new Diversity Officers are trained by the Office of Diversity and Equal Opportunity. All Diversity Office Liaisons are trained biennially by the Office of Diversity and Equal Opportunity regarding Title VI and Nondiscrimination-related policies.

By the third quarter of 2017 this Title VI Program Policy Statement will be posted to the Massachusetts State Police intranet which is accessible to all MSP employees. The Massachusetts State Police will develop a basic Title VI Program powerpoint presentation that will be distributed to employees and posted to the intranet.

Title VI program information is included on the Department of State Police Workplace Poster that is posted on bulletin boards throughout Massachusetts State Police offices. See a pdf of the current poster

at the end of this document. Language regarding this Title VI Program Policy statement will be added to the poster when the poster is next updated.

MAINTENANCE OF RECORDS

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, implementation of Title VI Program requirements, Title VI complaints or lawsuits, and related documentation, records of correspondence to and from complainants, and Title VI investigations. These documents shall be made available to Federal Motor Carrier Safety Administration (FMCSA) staff upon request for compliance reviews and/or complaint investigations conducted by the FMCSA. These documents shall also be made available to FMSCA Staff through periodic submission as required by FMCSA.

SUBRECIPIENT MONITORING AND ASSISTANCE

The Massachusetts Department of State Police does not sub-award FMCSA funds. When posting solicitation for bids and Requests for Proposals, the following language is included in bid documents: “The Massachusetts State Police, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner’s race, color, national origin, sex, age, disability, income-level, or LEP in consideration for an award.”

When executing a contract with a vendor, the following two documents will be added to the agreement:
Assurance Appendix A
Assurance Appendix E.

DISCRIMINATION COMPLAINT PROCEDURE

1. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint with the Massachusetts State Police Diversity Officer.
2. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after the date of alleged act of discrimination.
3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an employee of the Massachusetts State Police, the person shall be interviewed by the Diversity Officer. If necessary, the Diversity Officer will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature.

The complaint shall then be handled according to the Massachusetts State Police's investigative procedures.

4. The Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of the action taken or the proposed action to process the allegation.
5. The Title VI Coordinator will maintain a complaint log.
6. The Diversity Officer will conduct an investigation of the allegation and based on the information obtained, will submit a general investigation report to the Title VI Coordinator. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the general investigation report.
7. The Title VI Coordinator will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter.

NON- DISCRIMINATION COMPLAINT FORM

The information on this form should be completed for all alleged Title VI discrimination complaints. The completed complaint form should be signed by the complainant. Upon completion, please forward to your nearest State Police Station or mail to: Diversity Officer, Massachusetts State Police General Headquarters, 470 Worcester Road, Framingham, MA 01702.

Agency Name: Massachusetts State Police

Complainant's Name _____ Phone No. _____

Home Address _____

City _____ State, Zip _____

Are you currently employed by the above agency? Y / N

This complaint involves discrimination on the basis of:

- | | |
|--|--|
| <input type="checkbox"/> Race | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Color | <input type="checkbox"/> National Origin |
| <input type="checkbox"/> Sex | <input type="checkbox"/> Age |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Income-Status |
| <input type="checkbox"/> Limited English Proficiency | <input type="checkbox"/> Marital Status |
| <input type="checkbox"/> Other _____ | |

Location of Discrimination _____

Date of Alleged Discriminatory Practice _____

Describe the events _____

Complainant's Signature _____

STATUS OF CORRECTIVE ACTIONS IMPLEMENTED BY APPLICANT TO ADDRESS DEFICIENCIES PREVIOUSLY IDENTIFIED DURING A TITLE VI PROGRAM COMPLIANCE REVIEW

We are not aware of a Federally-conducted Title VI Program compliance review.

Annual Certification of Compatibility

In accordance with 49 C.F.R., Parts 350.331, as the Superintendent for the Massachusetts State Police, I do hereby certify the Commonwealth of Massachusetts compatibility with appropriate parts of the Federal Motor Carrier Safety Regulations (FMCSR) and the Federal Hazardous Materials Regulations (FHMR) except for those provisions of the 2009 MCSAP Review and the corresponding Action Plan as approved by FMCSA as they apply to:

INTERSTATE MOTOR CARRIERS; and

INTRASTATE MOTOR CARRIERS

Signature: 

Date: 8/26/16

Massachusetts has adopted no new laws or regulations affecting Commercial Vehicle Safety.