

NORTH CAROLINA

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

Date of Approval: Jan 06, 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.

North Carolina's goal is to support FMCSA in achieving its national goal of reducing fatal CMV-involved crashes to 0.14 per 100 million vehicle miles traveled by the end of FFY 2017.

The mission of the North Carolina State Highway Patrol is to safeguard and preserve the lives and property of the people in North Carolina. This mission is accomplished in partnership with all levels of government and the public, with high ethical, legal, and professional standards. Our vision is to improve the quality of life in North Carolina, a critical component of which is commercial vehicle safety.

The State Highway patrol is the lead agency for the state and has no sub-grantees.

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 North Carolina State Highway Patrol (NCSHP) is a division within the Department of Public Safety and is the lead agency for the state. There are no sub-grantees. The Motor Carrier Safety Assistance Program (MCSAP) is administered by the Motor Carrier Enforcement (MCE) section of the NCSHP.

The MCSAP continues operating as a data-driven broad-based program. This program is closely coordinated with both size and weight enforcement, CVISN, as well as North Carolina Department of Transportation (NCDOT) efforts to identify road and bridge safety-related infrastructure needs (e.g., STAA route improvements, HSIP countermeasures). North Carolina's MCSAP program uses NCDOT's TEAAS (Traffic Engineering Accident Analysis System) crash data as the MCSAP data source. This is the most valid and reliable data source available for statewide crash analysis.

Highway safety partnering continues to be a key strategy for effectiveness. These partners include the NC Trucking Association (NCTA), the CMV Working Group of the NC Governor's Executive Committee on Highway Safety (ECHS), the NC Traffic Records Coordinating Committee (TRCC), the Governor's Highway Safety Program (GHSP), the Commercial Vehicle Enforcement Resource Lab (COVERLAB) program with the Institute for Transportation Research and Education (ITRE) at North Carolina State University (NCSU), insurance stakeholders, and local highway safety community forums, among others. Lastly, commercial vehicle enforcement (CMV) safety strategies have been adopted as an integral component of North Carolina's Strategic Highway Safety Plan (SHSP).

In recent years, the NCSHP has traditionally had members who were dedicated 100% of the time to MCSAP eligible activities and members who were part of the Size and Weight Unit but completed *some* MCSAP eligible activities. Only members who were dedicated to MCSAP were charged against the MCSAP Basic grant.

This year, the NCSHP will not have any field members dedicated 100% of the time to MCSAP eligible activities. In FFY 2017, the NCSHP will submit vouchers that include personnel time for any member of the NCSHP who completes a MCSAP eligible activity. To provide a better overall picture of the inspection program, a summary of field personnel is provided below:

- There are 56 LEO MCSAP positions statewide (Troops A-H) who complete regular patrol duties and NAS inspections.
- There are 177 LEO positions statewide (Troops A-H) assigned to the Size and Weight Unit who complete regular patrol duties, size and weight activities, and NAS inspections.
- **Total of 56 + 177 = 233 LEO completing NAS inspections**

It is estimated that the NCSHP will complete 73,500 inspections this year and that each inspection is estimated at an average of 2.5 hours per inspection. The estimate of 2.5 hours per inspection is an aggregate estimate of the following activities: NAS inspection time, trooper administration, supervisor administration, court, equipment check, training, patrol time, post-crash inspection, and traffic safety information presentations. This constitutes 38% of the sworn LEO Trooper time.

Along with these positions, there are eight (8) LEO MCSAP Sergeant positions in the field, one for each troop. They are fully dedicated to MCSAP supervisory activities *most* of the time. As with field personnel, NCSHP will only voucher for MCSAP Sergeant time that consists of NAS inspection time, trooper administration, supervisor administration, court, equipment check, training, patrol time, post-crash inspection, and traffic safety information presentations. It is estimated that they will spend 90% of their time dedicated to MCSAP eligible activities.

There are four (4) LEO MCSAP positions at Headquarters that serve as the MCSAP administrator and administrative staff. They are dedicated to MCSAP supervisory activities 100% of the time.

There are eight (8) civilian support positions at Headquarters and Technical Services that are designated to MCSAP support activities 100% of the time.

There are two (2) civilian personnel members that are dedicated 100% of the time to MCSAP eligible activities. These activities include completing compliance reviews assigned by FMCSA and instructing MCSAP training/certifications. These two positions also maintain NAS certification but typically only complete the minimum requirement necessary annually.

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:

North Carolina complies with this requirement by providing impaired CMV driver training once per year as part of the annual trooper in-service training program. Every trooper is certified in standardized field sobriety testing and is assigned an alco-sensor alcohol breath tester.

MCE troopers are trained to observe suspected drug and human trafficking indicators, and have a policy to call the Patrol's interdiction team for further investigation. MCE is actively involved in drug and alcohol enforcement activities. As a part of the core MCSAP activities, MCE will continue the conduct Drug Interdiction Activities Program (DIAP) on commercial vehicles and drivers. The NCSHP has a Criminal Intelligence Team (CIT) that concentrates on illegal transportation of narcotics across the state's highways. This team is separate from the normal MCSAP DIAP operations. These two teams will coordinate activities to assure the utmost enforcement of the laws regarding drug interdiction.

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:

Troopers check the operating authority each time an inspection is completed through the adoption of the Commercial Vehicle Safety Alliance (CVSA) inspection requirements. Training is provided by completing CVSA School. Training on FuelTaCS (the state's version of Aspen) is provided upon completion of CVSA School.

NCSHP requires all members to check Query Central for operating authority and out-of-service status while conducting an inspection.

Basic and Incentive Program Effectiveness Summary - Past Performance

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

1 - State Fatality Reduction Trend Analysis: 2011 - 2015

Instructions:

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

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

Goal measurement as defined by your State: Actual # Fatalities

State Defined Measurement Period (Include 5 Periods)		Fatalities	Goal As Expressed In CVSP (State Defined Measurement)	Outcome (As It Relates To The Goal Column)
Begin Date	End Date	Number of Lives		Indicate Actual Outcome
10/01/2014	09/30/2015	132	125	132
10/01/2013	09/30/2014	120	2	1.79
10/01/2012	09/30/2013	127	2	2.21
10/01/2011	09/30/2012	133	2	2.09
10/01/2010	09/30/2011	121	2.50	1.84

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

NCDOT TEAAS, June 2016

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

Narrative:

North Carolina's Fatality Reduction goal for FY 2009-2011 was to reduce fatal CMV-involved crashes on rural NC, US, and SR routes annually as a percentage of the total CMV-involved crashes on NC, US, and SR routes to 2.5 percent or less (using FY 2005-2007 average as baseline of 5,464). This goal was based on both FMCSA's and North Carolina's analysis that documents the increased risk of large truck fatalities (greater than 70%) on non-interstate (rural) roads.

For FY 2012-2014, North Carolina's Fatality Reduction goal was to further reduce fatal CMV-involved crashes on rural NC, US, and SR routes annually as a percentage of the total CMV-involved crashes on NC, US, and SR routes to 2 percent or less (using FY 2011 baseline of 3,717).

Beginning in FY2015, North Carolina's fatality reduction goal changed to a new 3-year fatality reduction goal. North Carolina's 3-year goal (2015-2017) is to reduce the number of fatalities by 5% from 127 to 121 fatalities (based on a 3 year FY 2011-FY 2013 baseline average). North Carolina plans to show incremental progress each year. Therefore, the FY 2015 goal was to reduce fatalities 1.67% to 125 In FY2015.

FY2015 is the third year of North Carolina's three-year fatality reduction goal. North Carolina did not meet its fatality reduction goal of 125 for FY2015. The actual outcome was 132.

Successes:

North Carolina successfully met its crash reduction goals for FY 2009-2011. Because of these successes, North Carolina set an aggressive fatality reduction goal for FY 2012-2014, to reduce and sustain fatal CMV crashes as a percent of all CMV crashes on rural roads to 2% or less.

During this time, increased emphasis was placed on smaller carrier attributes involved in off-interstate and local operations, which included heightened attention to roadside inspections, size and weight, and traffic enforcement activities in an effort to reduce the number and severity of crashes in this truck population. This permitted us to identify strategies that worked and those that did not. While these efforts did not result in meeting the goal during the FY2012-2013, the goal was met (and exceeded) in FY2014.

Challenges:

1) Fluctuations (increases/decreases) in CMV fatality frequencies are correlated with changes in traffic volumes, which are driven in large part by economic conditions. When the economy is good, fatalities tend to rise due to increased overall volume. However, personnel resources dedicated to CMV safety countermeasures (enforcement, inspections, outreach, etc.) tend to remain static, or even at reduced levels statewide. This represents a mismatch between demand (crashes) and supply of available resources (troopers).

2) Enforcing CMVs on rural roads. The majority of NC's rural roadways are narrow two-lane roads with no shoulders. Stopping CMV's in this environment poses very serious safety risks to both troopers and CMV's alike.

3) Identifying specific and achievable rural road enforcement strategies. Rural fatal CMV crashes are rare events relative to all CMV crashes in North Carolina. It is difficult to identify crash trends and crash patterns in rural areas. For example, rural fatal CMV crashes do not occur in specific and repeated locations, same time of day or same day of the week.

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: Other Crashes

State Defined Measurement Period (Include 5 Periods)		Fatalities	Goal As Expressed In CVSP (State Defined Measurement)	Outcome (As It Relates To The Goal Column)
Begin Date	End Date	Number of Lives		Indicate Actual Outcome
10/01/2014	09/30/2015	4		458
10/01/2013	09/30/2014	1	349	423
10/01/2012	09/30/2013	1	355	367
10/01/2011	09/30/2012	1	361	424
10/01/2010	09/30/2011	2	361	367

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

NCDOT TEAAS, June 2016

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

Narrative:

North Carolina's three year Motorcoach/Passenger Transportation Goal was to reduce commercial bus involved crashes by 5 percent by end of FY 2014 (as compared to FY 2011).

For FY 2009-2011, the crash reduction goal was to reduce the number of commercial bus involved crashes from 380 (FY 2008 baseline) to 361 commercial bus involved crashes in FY 2011 (a 5% reduction). This goal was not met by the end of FFY 2011. Commercial bus involved crashes increased to 367 in FFY2011.

For FY 2012-2014, the goal was to continue reducing commercial bus involved crashes from 367 (FY 2011 baseline) to 349 in FY 2014, a 5% reduction. This equates to 1.7% per year. For FY 2012, this goal was not met. There were 424 commercial bus crashes in 2012.

For FY 2013 and FY 2014, the goal was also not met. There were 367 commercial bus crashes in 2013 and 423 in 2014. North Carolina did not meet its three-year goal of reducing commercial bus crashes by 5% from FY2011 baseline.

Beginning in FY2015, North Carolina did not set a specific passenger carrier transportation safety goal. For the past two years, North Carolina has not deviated more than 25% from the national average for fatal and non-fatal bus crashes, and therefore does not have a passenger carrier safety problem. The criterion for determining if a North Carolina has a potential traffic safety problem is set forth in the Analyze Potential Problem Areas section of FMCSA's CVSP Toolkit, and is defined as a state not exceeding a 25% deviation from national statistics for the two most recent

years.

Successes:

While North Carolina did not meet its overall passenger carrier crash reduction goal, the actual number of fatalities decreased significantly over the 2009-2014 performance period. North Carolina's passenger carrier fatalities progressively decreased from 3 in FY2010 to 2 in FY2011, and only 1 passenger carrier fatality in each successive year after that (FY2012, FY 2013 and FY2014). Our objective is to maintain this success of by emphasizing a quality passenger carrier inspection program focusing on curbside inspections, outreach and training.

Challenges

- 1) Government/public transit bus crashes are included in all passenger carrier counts. NCSHP is held accountable for reducing this non-regulated segment of crashes. The tools available for corrective action measures are few. Education and public outreach are the only workable interventions but do not always produce desired results.
- 2) Curbside passenger carriers are relatively a new segment of for-hire passenger transportation. The carriers rapidly adapt to enforcement efforts by moving their operations frequently throughout the state, therefore making them very difficult to track and enforce (i.e. ghost operators). While mapping these carriers' pickup locations is possible through labor intensive web scouring and manual input, the effectiveness of this activity is questionable. Even though NCSHP has gone to great lengths to identify arrival and departure activities for these carriers, their efforts have not produced desired outcomes — troopers set up enforcement details at given locations but buses never show up. As a result NCSHP is open and receptive to other states' best practices' for identifying high risk curbside operators.
- 3) The original 3 year goal of reducing ALL commercial passenger carrier crashes disproportionately focuses on low severity crashes, most of which occur in municipalities and subsequently outside of regulatory control.

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
10/01/2014	09/30/2015	7		
10/01/2013	09/30/2014	3		
10/01/2012	09/30/2013	2		
10/01/2011	09/30/2012	3		
10/01/2010	09/30/2011	6		

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

NCDOT TEAAS, 6/9/2015

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

In previous years, Haz-Mat activities were not required as a goal therefore summary data are not submitted for this section.

For the past two years, North Carolina has not deviated more than 25% from the national average for its hazmat fatality rate (number of hazmat vehicles involved in fatal crashes as a percent of all hazmat vehicles involved in crashes), and as such, does not have a problem with hazmat fatalities (Source: A&I Online HM Report for CY 2014 and CY 2015).

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		
01/01/2014	12/31/2014	7040	20537
01/01/2013	12/31/2013	6700	15984
01/01/2012	12/31/2012	7475	16137
01/01/2011	12/31/2011	8156	17199
01/01/2010	12/31/2010	12758	19355



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		
01/01/2014	12/31/2014		30392
01/01/2013	12/31/2013		22615
01/01/2012	12/31/2012		20626
01/01/2011	12/31/2011		29938
01/01/2010	12/31/2010		41636

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

NCSHP CAD, 6/16/2016 and MCMIS, 6/16/2016

CMV traffic enforcement stops with an inspection are conducted by MCE NCSHP troopers. All MCE traffic enforcement stops include a minimum of a Level 3 inspection. The NCSHP does currently capture citations charges and warning counts for traffic stops with an inspection.

CMV traffic enforcement stops without inspection are not conducted by MCE NCSHP troopers. Non-CMV traffic enforcement stops are conducted by MCE NCSHP troopers on passenger vehicles. The number of citations and warnings are captured but not the number of "stops". These "stops" are not captured on the NCSHP CAD system, but are captured by the State Bureau of Investigation (SBI). However, the NCSHP does not have access to SBI systems. The number of citations and warnings issued are counted as number of citation charges and warnings (multiple charges can occur per citation).

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:

1) General Motoring Public / Teen / Older Drivers -- Conduct Public Service Announcements (PSA) directed at the motoring public including the "Leave Room for Trucks" and the "No Zone" programs; present to senior drivers during local church presentations; and present to younger drivers at local high schools. MCE members will conduct educational outreach events to churches that operate passenger carrying vehicles.

Year one (FY2015) update- NCSHP has conducted Public Service Announcements (PSA) directed at the motoring public including the "Leave Room for Trucks" and the "No Zone" programs; present to senior drivers during local church presentations; and present to younger drivers at local high schools. Every traffic safety presentation conducted by MCE members a specific section that focuses on seatbelt usage. (ON-Going) NCSHP has partnered with NC Farm Bureau and have conducted 9 farmer's presentations across the state.

Year two (FY2016) update- NCSHP will continue to provide CMV highway safety presentations to motor carriers and public organizations when requested. Through these and other means of media, NCSHP feels that information provided to the public will help to reduce the number of CMV related crashes. An additional media of outreach is the practice of CMV safety promotional items including the "Leave Room for Trucks" and the "No Zone" programs. These are distributed to the public annually at the Mountain State Fair and the North Carolina State Fair. Each troop has an assigned TSI trooper to conduct CMV presentations within their respective troop.

2) Trucking / Passenger Carrier Industry - Make CMV safety awareness presentations at various industry meetings, conferences, and truck driving schools. Also, because drilling activities in North Carolina have not started yet, we will use this opportunity to take lessons learned from other states for successful outreach strategies to these companies. At such time, North Carolina intends to work closely with NCDOT Pavement Management Unit to implement these activities.

Year one (FY2015) update- These presentations included topics of MAP-21, CSA 2010, inspection procedures, aggressive driving behaviors, texting while driving, seat belt usage, load securement, and how to apply for a USDOT-NC number. (ON-Going)

Year two (FY2016) update- These presentations included topics of FAST - ACT, CSA 2010, inspection procedures, aggressive driving behaviors, texting while driving, seat belt usage, load securement, and how to apply for a USDOT-NC number. (ON-Going)

CMV awareness training to law enforcement agencies to increase their knowledge of CMV laws and how to effectively stop CMVs safely on public roads within their jurisdictions and properly report CMV crashes. Provide educational information to judicial community to improve their knowledge of CMV laws and regulations. Seek to increase CMV adjudication rates for CMV convictions as written on traffic citations.

Year one (FY2015) update- CMV awareness training is on- going to law enforcement agencies to help increase their knowledge of CMV laws and how to effectively stop CMVs safely on public roads within their jurisdictions and properly report CMV crashes on the DMV-349. NCSHP still has encountered obstacles in educating and getting the judicial community state-wide to understand the FMCSR regulations as well as CMV laws. (ON-Going)

Year two (FY2016) update- CMV awareness training is on- going to law enforcement agencies to help increase their knowledge of CMV laws, how to effectively stop CMVs safely on public roads within their jurisdictions, and properly report CMV crashes on the DMV-349. NCSHP continues to encounter obstacles in educating and getting the judicial community statewide to understand the FMCSR regulations as well as CMV laws. TSI troopers are tasked with educating their local district attorneys in their respective counties on CMV's laws and regulations. (ON-Going)

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

The public education and outreach goal is an estimated number of public education and outreach activities: 200 Carrier Safety Talks, 200 CMV Safety Belt Education and Outreach, 8 State Trucking Association Meetings, 0 State-sponsored outreach events, 25 Local educational safety events, 40 Teen safety events.

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

The Public Education and Awareness section is specifically focused on providing CMV Safety education across NC to help decrease the number and severity of CMV crashes. NCSHP has presented 267 TSI presentations through the third quarter. NCSHP has already obtained the goal of 200 for FY-2015. NCSHP still has encountered obstacles in educating and getting the judicial community state-wide to understand the FMCSR regulations as well as CMV laws. (267 Carrier Safety Talks, 267 CMV Safety Belt Education and

Outreach, 6 State Trucking Association Meetings, 0 State-sponsored outreach events, 20 Local educational safety events, 52 Teen safety events)

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

While the NCSHP has a comprehensive and targeted outreach and education program, measuring the effectiveness of the CMV safety outreach programs continues to be challenging. This is primarily due to the inability to measure the extent to which the target audiences change their behavior in response to the education content.

CMV outreach presentations to municipalities continue to be mostly focused on regulation and laws. Expanding this content to truck safety awareness that actually result in measurable reductions of CMV crashes in municipalities is needed. One suggestion is to accomplish this by providing municipalities access to NCSHP's interactive mapping and visual analytics tool called VANTAGE. Also, the NCSHP could present an interactive live demonstration to showcase where, when, and why CMV crashes are occurring to these audiences could add incentive for municipalities to increase their efforts and subsequently drive crashes down in these locations.

Lastly, MCE continues to encounter obstacles in educating and conveying FMCSR regulations and laws to the judicial community state-wide.

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.

Activities are aligned with performance objectives and focus on curbside, terminal and destination points inspections/screening as well as extending the reach of public education. Currently all MCSAP-funded Troopers and a handful of Size and Weight Troopers are certified to inspect buses.

- 1) Inspections: Conduct motor coach inspections at terminals, curbside and destination points.
- 2) Outreach: Provide awareness and education outreach to public and private entities owning and operating passenger vehicles.
- 3) Curbside Operations: Identify internet curbside operations schedules (dates, times, pick-up/drop-off locations) and conduct inspections at these locations and take appropriate enforcement actions as warranted.
- 4) Special Operations: Conduct and participate in enforcement blitzes throughout the state and coordinate with federal passenger carrier enforcement initiatives.

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

The performance objectives are four-fold:

- 1) Inspections - Continue to maintain the 1.7% increase in inspections (achieved from 2012-2014) for a total of 944 inspections per year (2015-2017).
- 2) Outreach - Provide seventy-five (75) public education & outreach activities to commercial passenger carrier entities.
- 3) Curbside Operations - Conduct 16 special operations that specifically focus on curbside enforcement inspection operations that are aimed at reducing passenger carrier crashes.
- 4) Special Operations - Conduct at least 1 special operation per troop each quarter for a total of 32 special operations (i.e. Operation BusSafe NC; Operation StrikeForce).

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

- 1) Inspections - As of 27 May 2016, North Carolina has completed 582 passenger carrier inspections out of the 944 inspection goal (62%). North Carolina is on track to meet or exceed this goal for FFY2016.
- 2) Outreach - By the end of the second quarter of FFY2016, the NCSHP has conducted 260 public education & outreach activities to commercial passenger carrier entities. North Carolina has already exceeded the goal for FFY2016.
- 3) Curbside Operations - By the end of the second quarter of FFY2016, the NCSHP has conducted 14 curbside enforcement inspection projects that are aimed at reducing passenger carrier crashes. North Carolina is on track to meet or exceed the goal of 16 for FFY2016.
- 4) Special Operations - By the end of the second quarter of FFY2016, the NCSHP has conducted 15 special bus operations. Our goal is 32. In order to meet the FFY2016 goal, North Carolina will increase our level of activity in this area. MCSAP troopers have conducted numerous traffic safety presentations on passenger carrier safety. They discuss the use of smart phone apps and websites for the public to use to check the safety ratings of passenger carriers at each presentation.

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

Successes: Overall bus inspections and outreach activities are our successes. In both of these categories we are either exceeding our goal or well on our way to meet the goal by the end of the federal fiscal year.

Challenges: Curbside operations and special bus operations are our challenges. At this time, the NCSHP is not where we would like to be in terms of meeting our goal given the amount of time left in the federal fiscal year. As a result, we will place more emphasis on curbside operations and special bus operations in an attempt to be more successful in meeting our goal (on-going).

Lessons Learned: Due to MCE's limited scope of authority involving passenger carrier enforcement, curbside and special bus

operations are not as effective in regards to the number of buses that we can inspect when compared to trucking special operations. The NCSHP will place more emphasis on passenger carrier enforcement to meet our goals (on-going).

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:

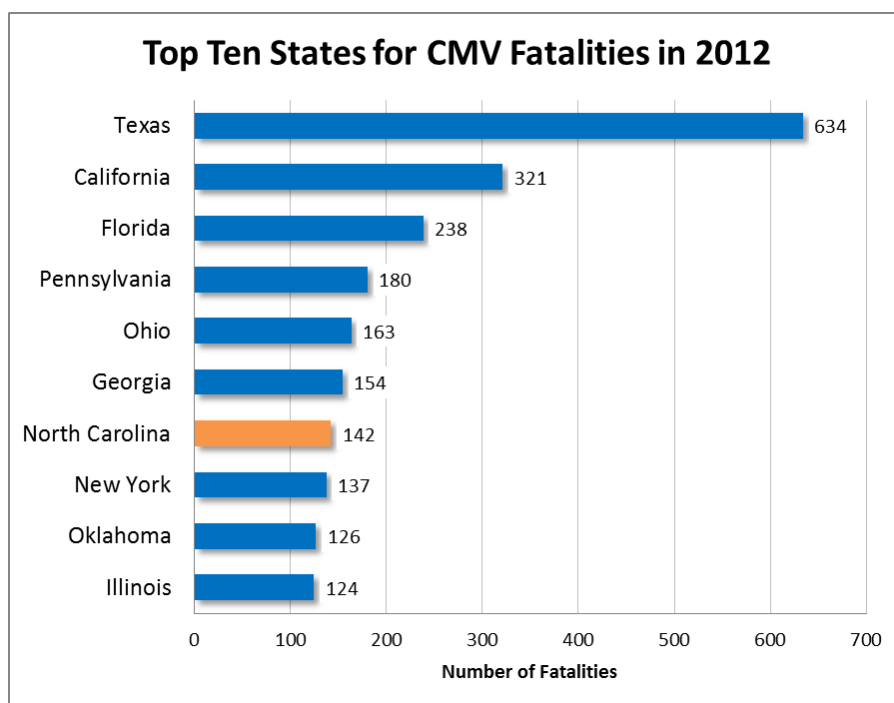
The State must include a reasonable crash reduction goal for their State that supports FMCSA's mission to reduce the national number of crashes, injuries and fatalities involving commercial motor vehicle transportation. The State has flexibility in setting its goal. It can be based on raw numbers (e.g., 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:

This is the third year of North Carolina's three year crash reduction goal. As such, the following narrative shows the baseline justification for establishing the three year crash reduction goal, and the yearly progress toward this goal.

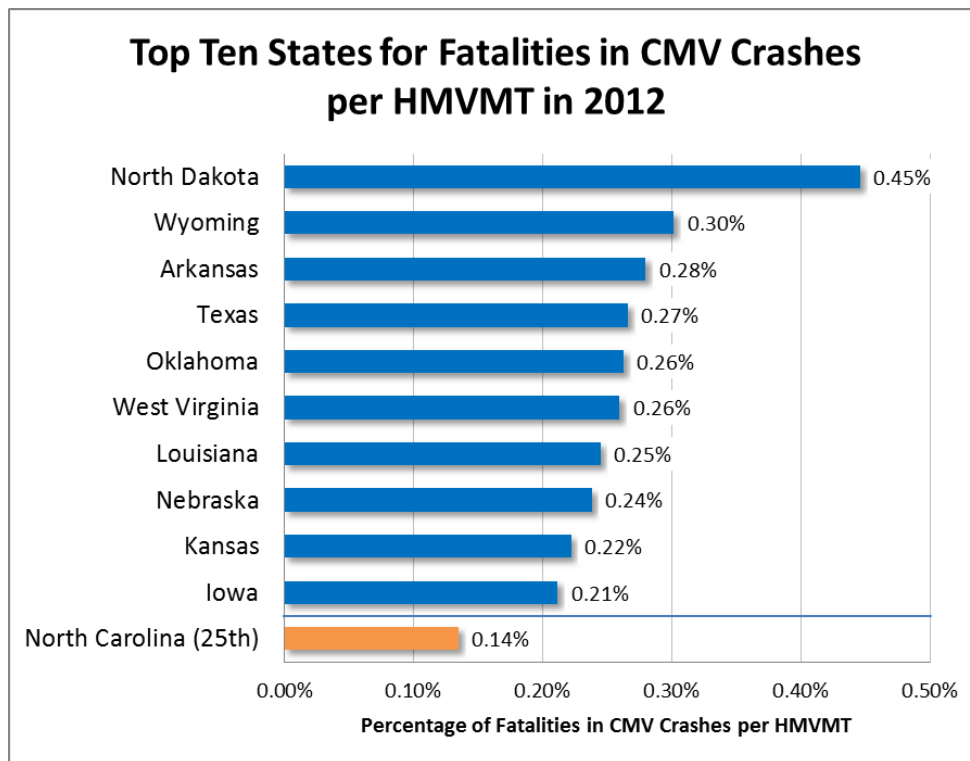
The Big Picture

North Carolina has the second largest state-maintained road network in the nation, including nearly 90,000 miles of highways and more than 12,000 bridges. While North Carolina has put forth considerable effort to reducing CMV collisions, the state consistently ranks as one of FMCSA's "top ten" CMV crash states. A number of factors contribute to this fact. North Carolina's high traffic volumes, major interstate and non-interstate "pass-thru" corridors, large and widely variable geography, steadily increasing urban population hubs and expanding east coast commerce centers all play pivotal roles in this statistic.



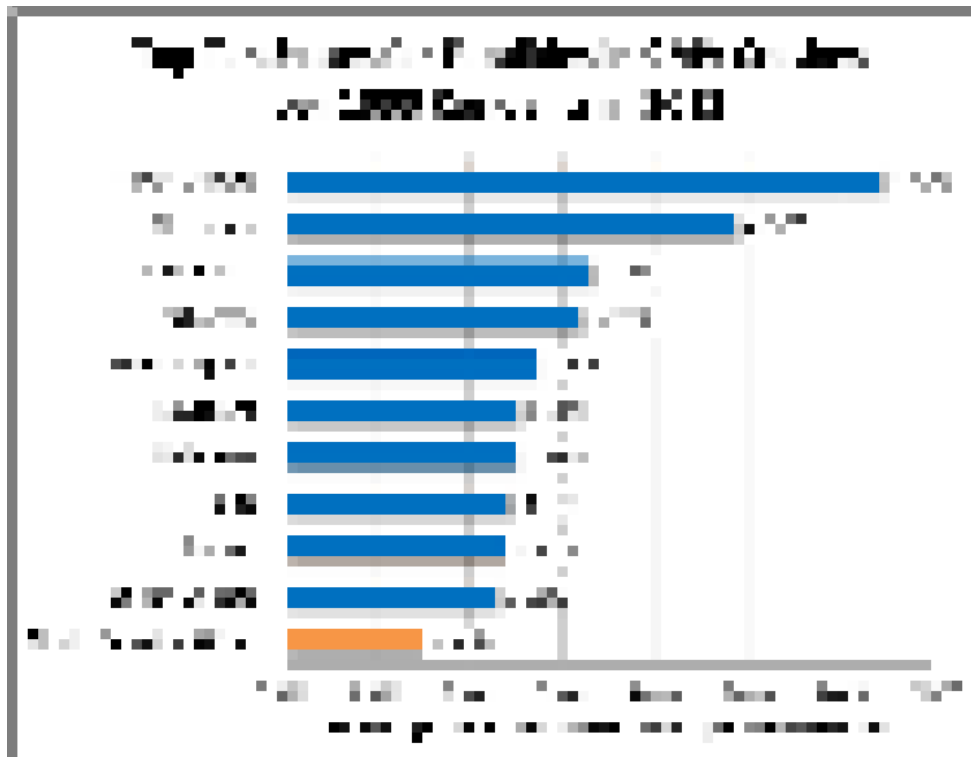
Source: FMCSA MCMIS 2012 (A&I Data Snapshot 4/25/2014)

However, counts of fatal crashes alone don't tell us how "safe" North Carolina's roads are for CMV travel. For example, if one accounts for traffic volume, expressed as fatal crashes per hundred million vehicle miles traveled (HMVMT), North Carolina actually ranks 25th (middle-of-the-pack).



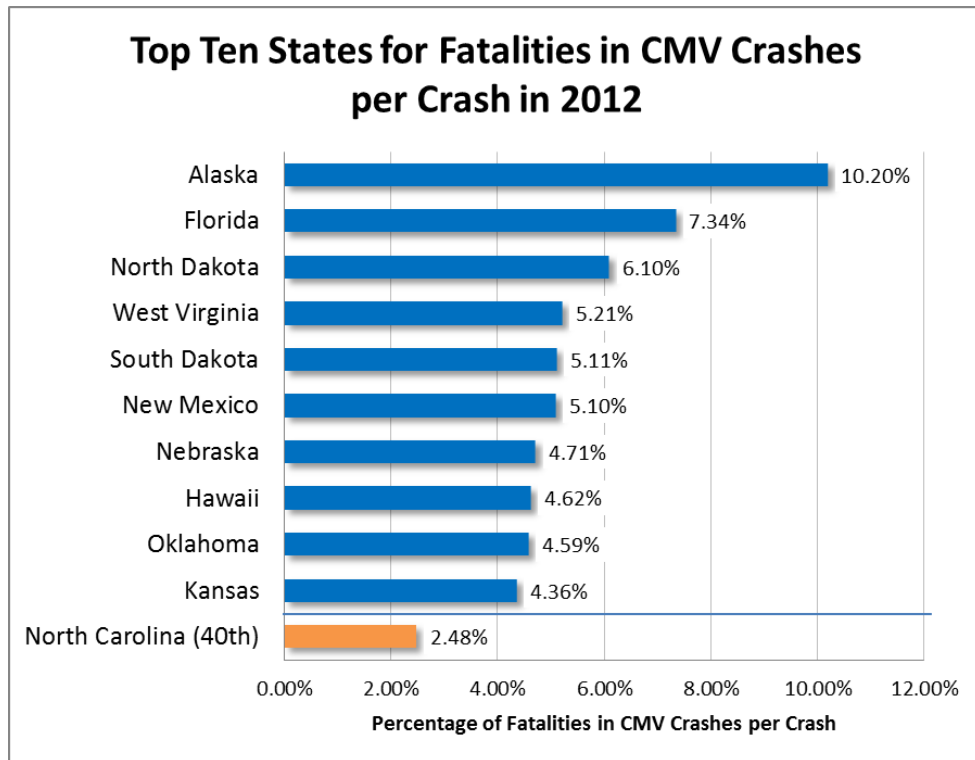
Sources: HMVMT - FHWA, Highway Statistics 2012 (<http://www.fhwa.dot.gov/policyinformation/statistics/2012/index.cfm>); FMCSA MCMIS 2012 (A&I Data Snapshot 4/25/2014)

Likewise, when population is accounted for, North Carolina ranks 21st compared with all other states.



Source: U.S. Census Bureau, Population Division (December 2012); FMCSA MCMIS 2012 (A&I Data Snapshot 4/25/2014)

And, when a CMV crash does occur in North Carolina, it is less likely to result in a fatality, compared to all other states – North Carolina ranks 40th out of 50.



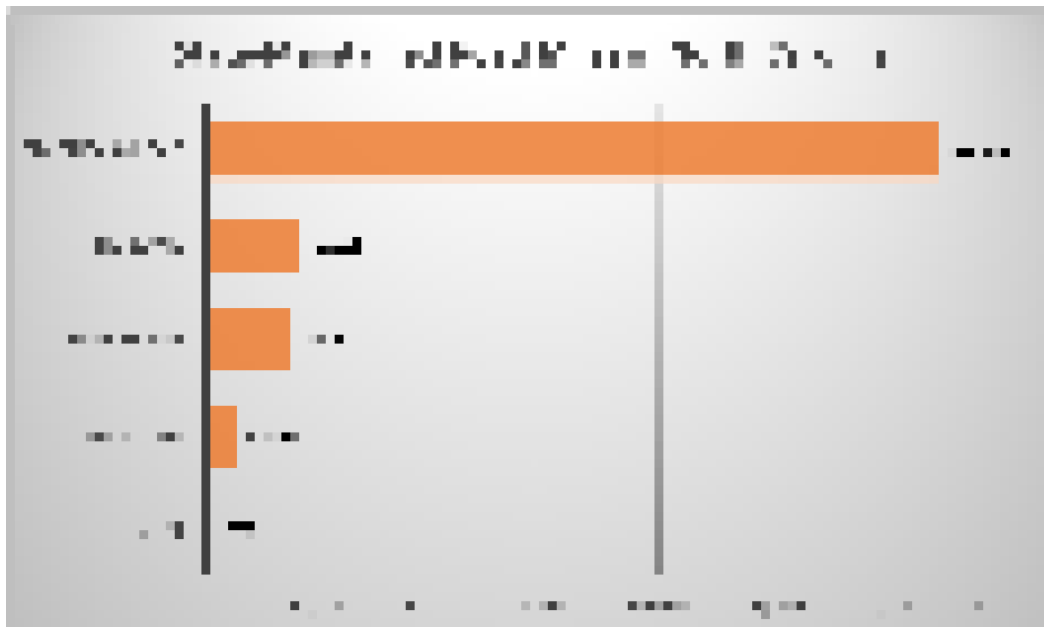
Source: FMCSA MCMIS 2012 (A&I Data Snapshot 4/25/2014)

North Carolina's Crash Picture

North Carolina's fatal CMV crashes vary widely by road class, risk level and troop. Because of this variability, North Carolina has separated fatal crash corridors by road class, identified "risk" levels for each road class and examined each troop's relative percent of fatal crashes by both road class and risk.

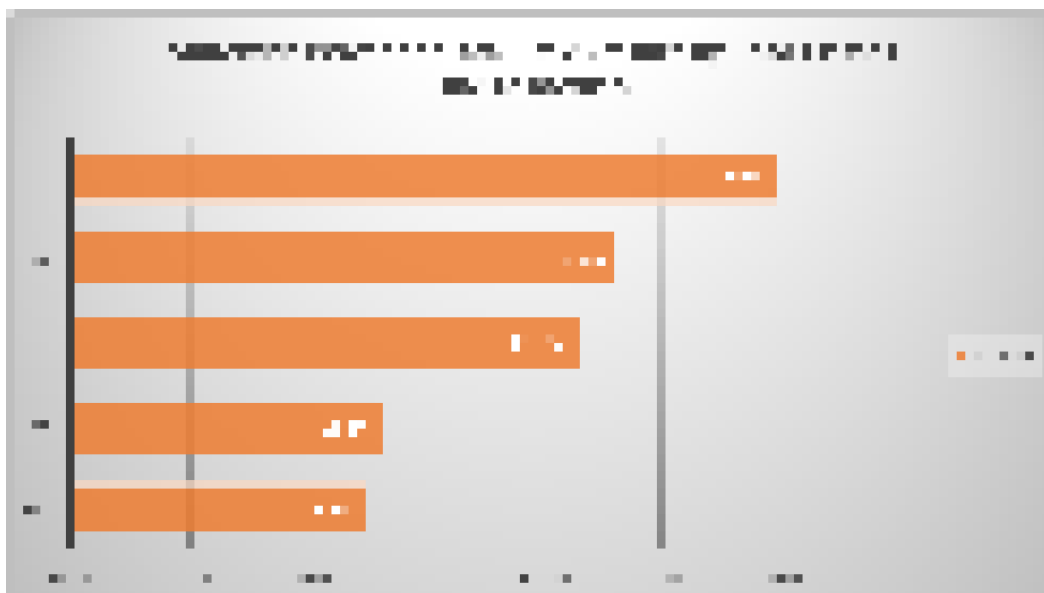
Road Class

North Carolina's state-maintained road network is principally comprised of 'secondary roads' (75%). However, these secondary roads have relatively low CMV traffic volume (exposure), and subsequently reduced crash frequencies.



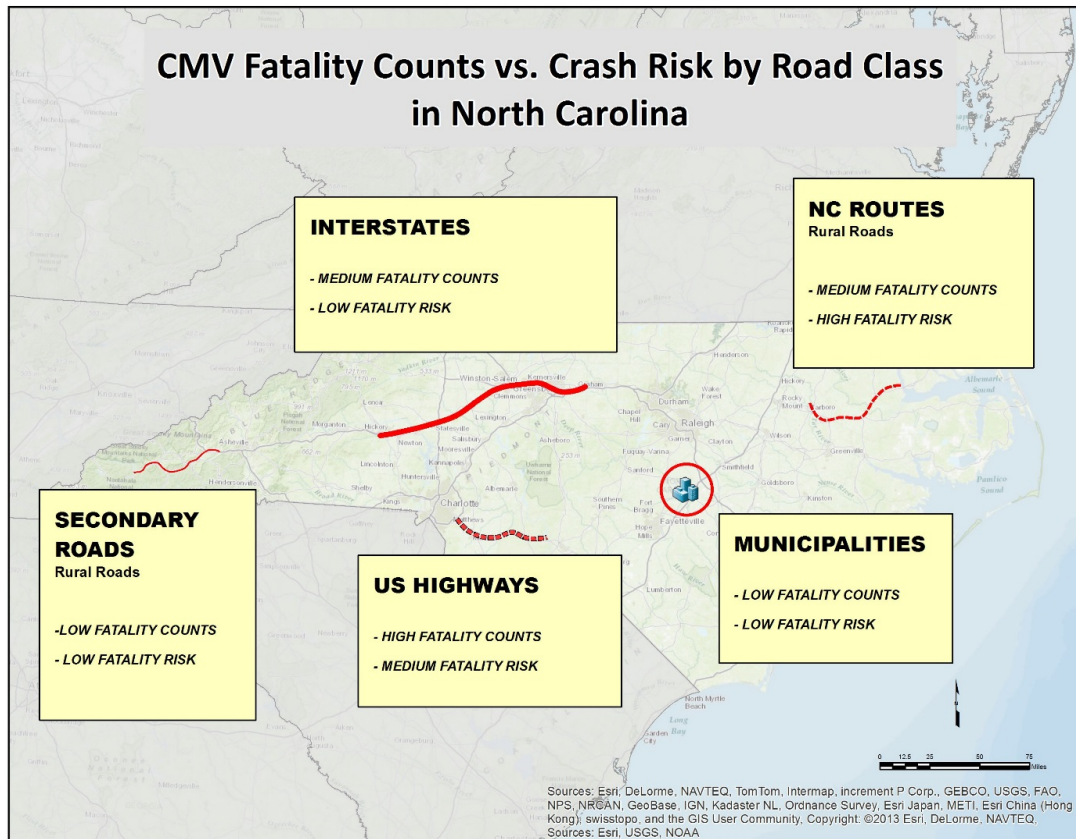
Source: NCDOT LRS, 2012.

CMV fatal crashes in North Carolina occur primarily on three road classes: US, NC and Interstate highways. These three road classes comprise 74% of all CMV crashes from FFY 2010-2013.



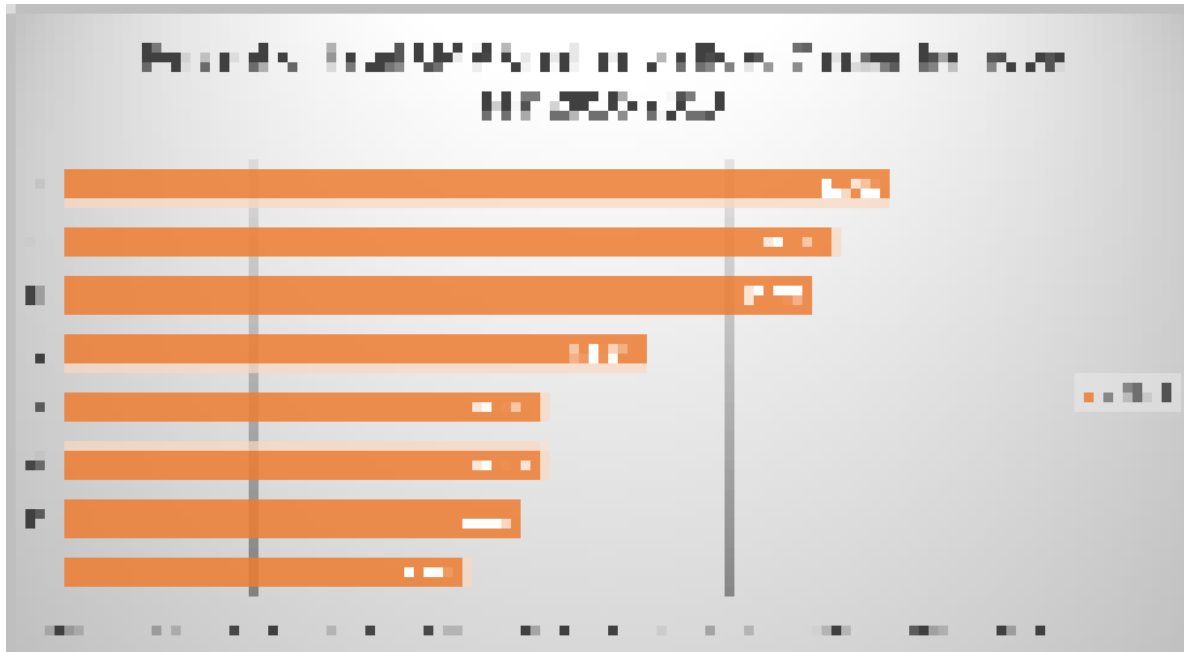
Exposure vs. Risk

Each of these road classes vary by fatal crash counts and fatal crash “risk”. Risk is defined as how likely is a CMV to be involved in a fatal crash. For example, interstates have high CMV traffic volume, but relatively low fatal crash risk (i.e. crashes per HMVMT). A broad overview of North Carolina’s fatal crash counts vs. fatal crash “risk” is shown below.

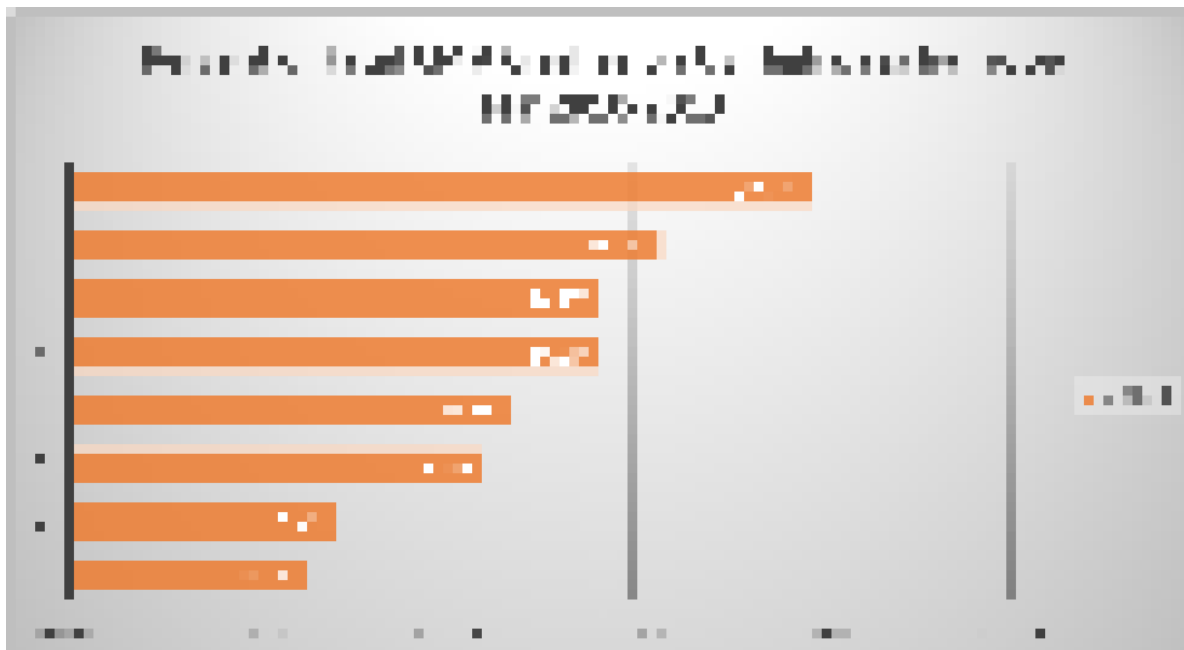


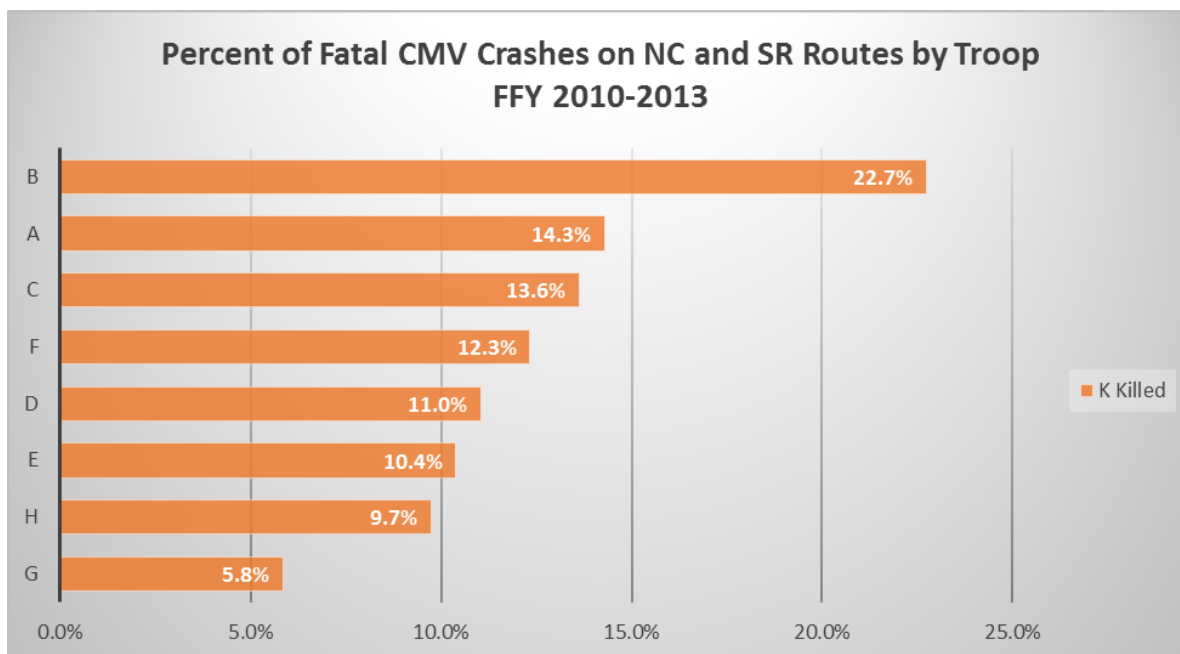
Troop Variability

Fatal CMV crashes for all road classes vary significantly by Troop. For example, Troop B has the largest proportional share of fatal crashes in the state for all road classes, as shown in the chart below.



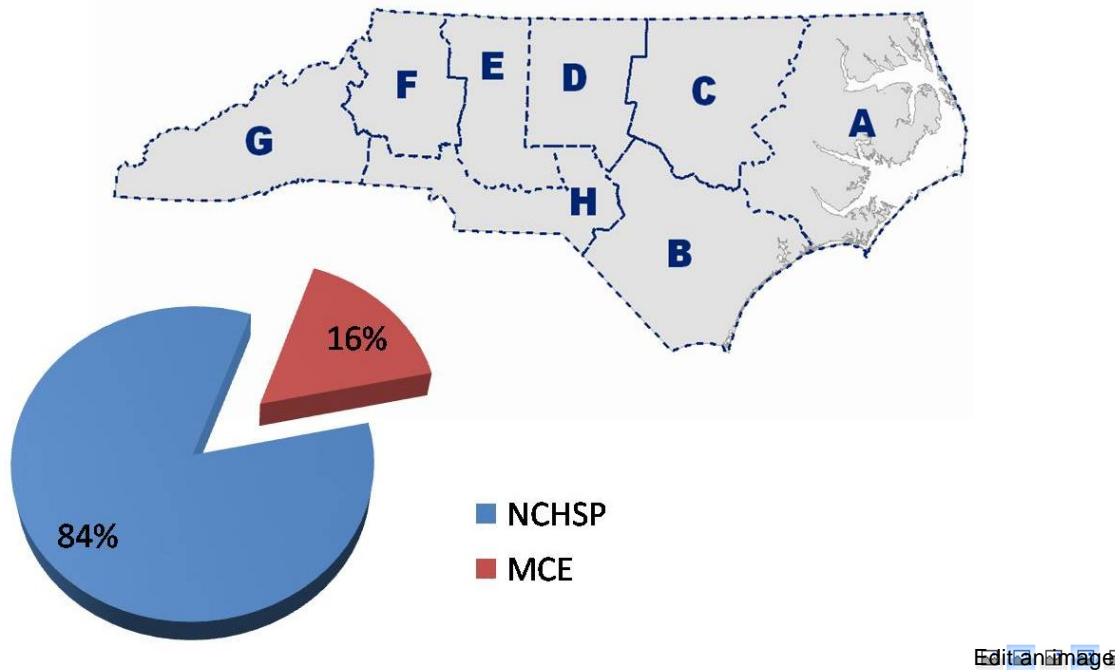
And, each troop varies significantly for the relative distribution of fatal crashes across each of these road classes. For example, US highway fatal crashes occur mostly in Troop C, while NC and SR fatal crashes occur mostly in Troop B, as shown in the charts below.





Troop-Specific Strategies

North Carolina has adopted a troop-specific strategic approach for reducing CMV fatalities statewide. MCE troops are spread across the state and cover a large geographic area relative to their operational capacity.



Because of the wide variability of fatal crash distribution and fatal crash risk by road class in each troop, developing and implementing effective troop-specific enforcement strategies are critical to the overall success of the enforcement plan. Each troop requires uniquely different enforcement strategies based on differences in truck volume, crash “risk”, roadway geography, road class and enforcement types.

Approach

North Carolina's CMV fatality reduction approach is three-fold:

1. Identify Gaps – *identify gaps in fatal crash enforcement*

- Identify fatal crash locations by road class and crash risk - specifically tailored for each troop - Crash Corridors 5 and 10 mile
- Troop-Level Map Analytics to focus and target enforcement activities. Identify risky driving behaviors, contributing factors, TOD/DOW and locations for fatal crashes (VANTAGE).

2. Focused Activities – *Troop-specific targeted and prioritized activities*

- Troop-Specific tailoring - Road class focus by troop based on risk, resources and priority.
- Traditional partnering for high visibility traffic enforcement
- Quality inspection program

3. Track Measure, Prioritize – *Data-driven enforcement program for measurable outcomes*

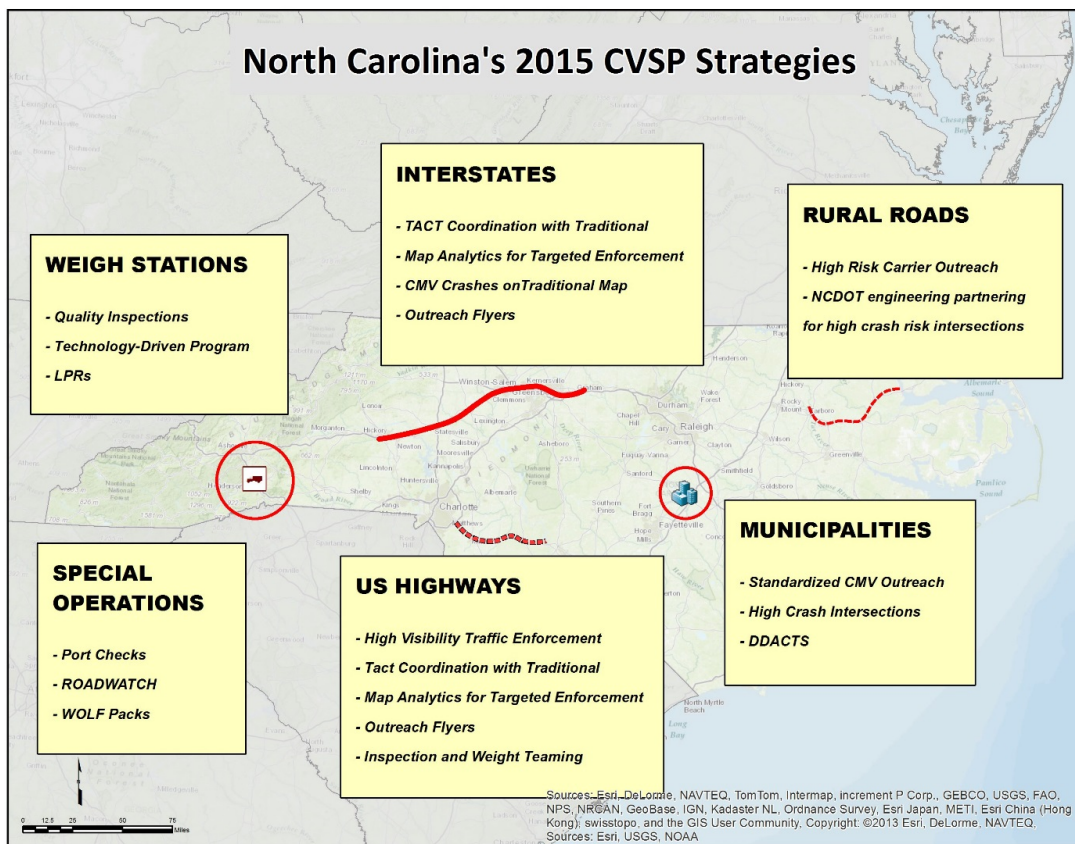
- COVERLAB Analytics
 - i. Scorecard - Troop-Level Performance Tracking
 - ii. Dashboard – Visualize trends and monitor trooper activities
 - iii. VANTAGE – Prioritize and select enforcement activities for optimizing effectiveness

Emphasis Areas

North Carolina will emphasize three strategy areas that include a high quality technology-driven inspection program that focuses on catch rates, partnering with traditional passenger vehicle traffic enforcement, and geospatial analytics for targeting and prioritizing enforcement.

- **High Quality Inspection Program** – Special focus on technology-driven inspections for increasing catch rates, special operations that target unsafe overweight vehicles, and improved identification and interdiction of federal OOS carriers.
- **High Visibility Traffic Enforcement** – MCE troopers will partner with non-MCE “traditional” troopers and local law enforcement to focus on high visibility passenger vehicle traffic enforcement in and around CMVs. These include special operations that target unsafe driving behaviors in locations where high CMV fatal crash corridors are coincident with high passenger vehicle fatal crash clusters.
- **Data-Driven, Troop-Specific Analytics** – Measurable reductions in CMV fatalities are continuously tracked and monitored. If underperforming, supervisors can use VANTAGE map analytics for intelligent resource deployment and adapt enforcement activities accordingly.

These emphasis areas cascade out to road-class-specific and troop-specific operations as shown in the map graphic below.



Interstates

High Volume

- TACT Coordination with Traditional
- Map Analytics for Targeted Enforcement
- CMV Crashes on Traditional Map
- Outreach Flyers

U.S. Highways

- High Visibility Traffic Enforcement
- Tact Coordination with Traditional
- Map Analytics for Targeted Enforcement
- Outreach Flyers
- Inspection and Weight Teaming

Rural Roads (NC Routes and Secondary Roads)

- High Risk Carrier Outreach
- NCDOT engineering partnering for high crash risk intersections and long stretches of roads
- Troop-Specific carrier outreach plan

A disproportionally high number of fatal CMV wrecks occur on NC routes, relative to the amount of traffic on these roads. These roads usually have low traffic volume, and as such are not conducive to effective and efficient use of patrol resources for CMV traffic enforcement activities. In addition, NC routes are not typically suitable for conducting safety inspections (no shoulder, safety concerns, etc.).

Because of these limitations, North Carolina will have each Troop identify the locations of highest crashes and identify the most effective types of enforcement to conduct on these road types. These include selective traffic enforcement in high risk locations and times, CMV safety outreach efforts to carriers headquartered in these locations, engineering solutions through NCDOT and public safety initiatives through the NC Trucking Association.

Municipalities

- Standardized CMV Outreach
- High Crash Intersections
- DDACTS

Weigh Stations

- Quality Inspections
- Technology-Driven Program
- LPRs

Special Operations

- Port Checks
- ROADWATCH
- WOLF Packs

Enter Data Source Capture Date:

06/17/2016

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NCDOT TEAAS

Enter Crash Reduction Goal

North Carolina has a 3 year crash reduction goal. Based on a 3 year (FY 2011- FY 2013) baseline average of 127 fatalities as the result of CMV-involved crashes, North Carolina's goal is to reduce the number of fatalities 5% over a 3 year period to 121 fatalities.

North Carolina plans to show incremental progress each year. Therefore, the FY 2015 goal is to reduce fatalities 1.67% to 125 (as of 5/31/15, NC has 78 CMV-involved fatalities and is on track to meet goal). The FY 2016 goal is to reduce fatalities 1.67% to 123, and the FY 2017 goal is to reduce fatalities another 1.67% to 121 (a total of 5% reduction over 3 years).

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.

Activities:

North Carolina's effort to meet its three-year crash reduction goal will include the following activities.

1. Continue targeted enforcement activities in high crash corridors that have been identified through the use of COVERLAB (See "Data Driven Intelligence" section below).
2. Areas of enforcement are: erratic/unsafe movement, speeding, following too closely, careless and reckless driving, distracted driving, fatigued driving and aggressive driving (crash causing violations).
3. Enforcement activities include inspections, and the issuing of citations/written warnings to CMV's and non-CMV's driving around CMV's.
4. Continue partnering efforts with local law enforcement agencies for traffic enforcement in CMV high crash corridors on a quarterly basis.
5. Troopers will conduct 24 LIDAR operations statewide in CMV high crash corridors focusing on speeding CMV's and non- CMV's around CMV's. The NCSHP will work in conjunction with our Technical Services Unit and our North Carolina Department of Transportation (NCDOT) IT partners to prepare a report that tracks private vehicle enforcement activity initiated in and around CMV's for all personnel assigned to the MCE (MCSAP) program. When completing future MCSAP Basic Grant quarterly reports, MCE HQ staff will provide non-CMV traffic enforcement data for all personnel assigned to MCE (MCSAP). Estimated Completion Date: December 30, 2016.
6. Continue large scale MCE enforcement activities like Operation Road Watch, Port Checks, Motor Coach Crash Reduction Projects with other support agencies to accomplish our mission.
7. Increase the usage of electronic verification of Out-of-Service status, CDL, and UCR when conducting Level I, II, and inspections.
8. Troopers will continue to provide CMV safety presentations to the industry professionals, schools, traffic safety seminars, churches, and public groups to increase safety awareness.

Each troop will create and evaluate troop-specific plans focused on geographic locations, time of day, day of week, and road specific activities to be conducted on the Interstate, US, NC, and state road routes. These activities will be monitored quarterly.

Data-Driven Intelligence

One of the main strengths in NC's MCSAP program is its continued partnership with the Institute for Transportation Research and Education (ITRE) at NC State University. ITRE's development and maintenance of COVERLAB Analytics, a data visualization decision management tool, has significantly ramped up NCSHP's ability to track, measure and target enforcement activities.



By visualizing relationships of crash locations to inspections and citations, troop supervisors can direct targeted enforcement activities to problem areas for improving the effectiveness of crash reduction efforts. Troops are able to track their individual performance, interactively visualize trends for their troop, and use map analytics to target and prioritize enforcement activities to optimize effectiveness.

SCORECARD

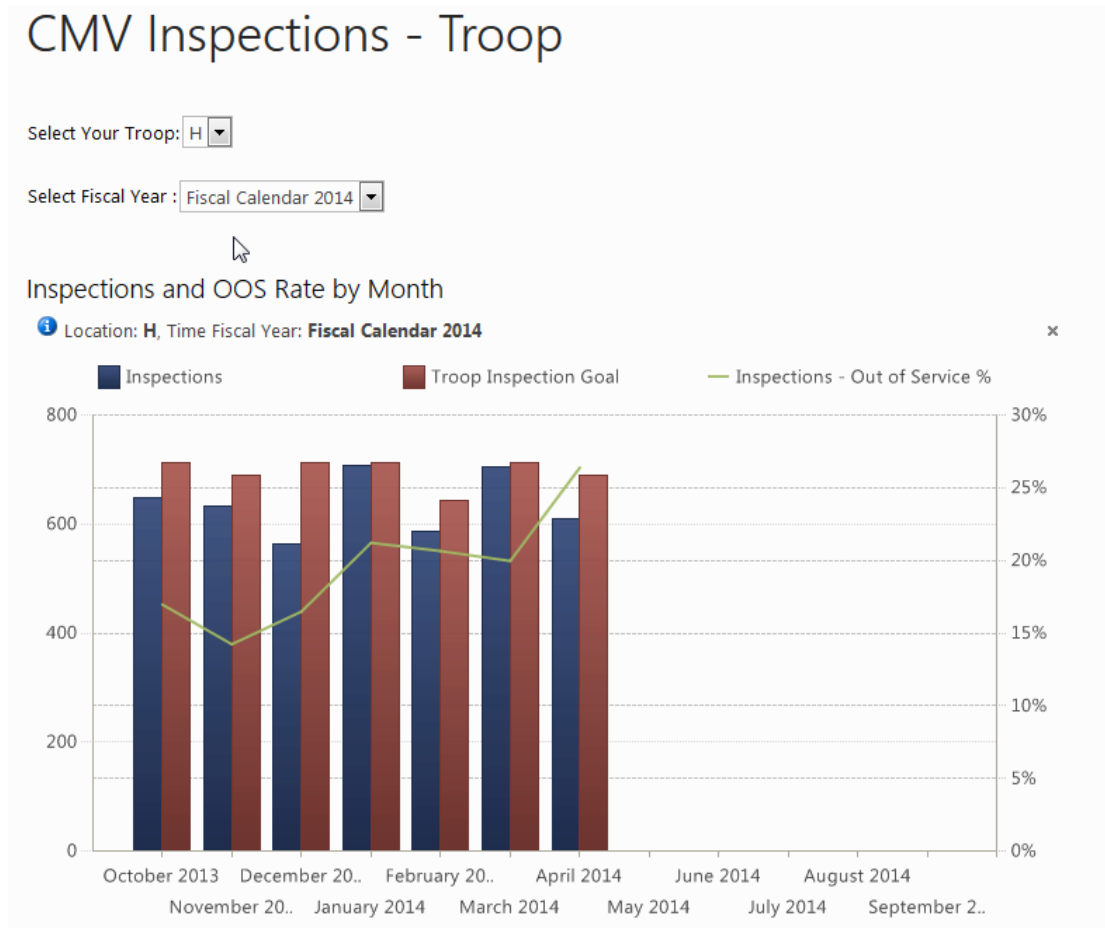
Troop supervisors track and measure their troop's crash reduction progress toward the state's crash reduction goal using the COVERLAB online Scorecard. The Scorecard shows continuously updated views for how well each troop is performing.

CMV Crash Reduction

	Percent Fatal on Rural Roads	
	Actual	Target
◀ All	1.37%	2.0% ●
▷ A	1.28%	2.0% ●
▷ B	1.11%	2.0% ●
▷ C	1.61%	2.0% ●
▷ D	1.80%	2.0% ●
▷ E	1.49%	2.0% ●
▷ F	2.27%	2.0% ●
▷ G	0.95%	2.0% ●
▷ H	0.62%	2.0% ●

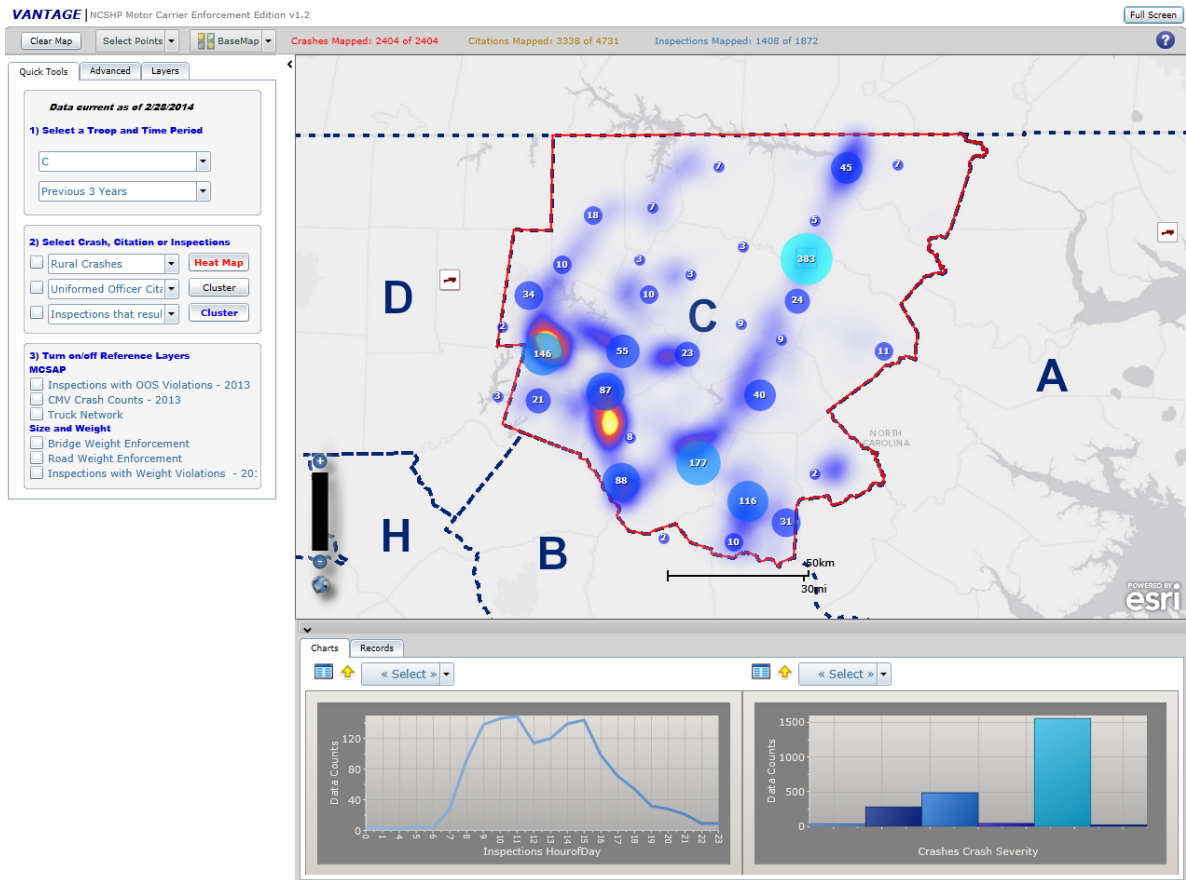
Dashboard

Troops visualize trends and patterns for improving performance.



Map Analytics

Troop supervisors prioritize and target enforcement activities using online map analytics. Troops use These maps to focus enforcement activities where and when the data suggest they are the most effective. This allows troops to identify strategies that work and adapt accordingly.



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.

1. The number of CMV fatalities statewide reported quarterly.
2. The number of quarterly CMV awareness presentations made and Wolf Packs conducted with local law enforcement agencies.
3. Minimum of at least six (6) LIDAR operations conducted quarterly; # of inspections, # staff hours, and # enforcement actions.
4. The number of activities cited on inspections monthly; measured as a percent against all inspections for the same time period.
5. All CVSP goals and supporting strategies are reported quarterly through each troop's participation in the Quality Management Board (QMB) review process; quarterly COVERLAB analysis per troop.
6. Number of participating agencies that participate quarterly; # inspections, # staff hours, and # enforcement actions.
7. The number of inspections completed during traffic enforcement activities.

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 13, 2016

All categories are 'good'

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

Technology Program	Current Compliance Level according to FMCSA	Verification by State of Current Compliance Level
ITD	Core CVISN Compliant	162
PRISM	step 4	162
SSDQ	Good	162

Data Sources:

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

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

All categories are 'good'

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.

All categories are 'good'

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.

All categories are 'good'

3 - Passenger Carrier Enforcement

Instructions:

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

Check this box if:

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

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

Instructions:

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

Check this box if:

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

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

33

Performance Objective: Enter performance objective(s).

North Carolina's objective is to increase the identification rate of Federally OOS vehicles to 85%, compliant with FMCSA's national goals.

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

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

☒ **Conduct Driver and Vehicle Inspections (complete activity projections in the Commercial Vehicle Enforcement Activities section 1)**

☒ **Conduct Traffic Enforcement Activities (complete activity projections in the Commercial Vehicle Enforcement Activities section 2)**

☒ **Conduct Carrier Investigations [CSA] (complete activity projections in the Commercial Vehicle Enforcement Activities section 3)**

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

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

Activities

1. Complete updates to the FuelTaCS inspection program software (North Carolina's version of Aspen). These updates will (1) alert the inspector to check carrier OOS status before an inspection report can be closed and (2) provide a search tool within FuelTaCS program to alert the inspector of an active OOS when either a DOT number or license tag number is entered.

Currently, these software updates have been implemented, but still need quality assurance tests to determine why 85% catch rate is not being consistently sustained. Troubleshooting has revealed that more in-depth training is needed to correct user error in enforcement of federal out of service orders. Once this training is complete, we expect to increase the number of OOS carriers identified by NCSHP.

2. Memorandums will continue to be communicated to field personnel conducting stops and inspections to make it mandatory that they check a database for OOS orders. Enforcement personnel will also include this mandatory check in their notes for each enforcement action.

3. Continue to monitor the FMCSA's monthly OOS report and make contact with field personnel who released federal OOS carriers during a stop.

4. North Carolina currently has 3 virtual weigh stations and 1 fixed weigh station that have automated license plate readers (ALPR) installed. The primary goal of these ALPR systems is to identify vehicles that are operating under a federal OOS order. A secondary goal is to identify vehicles targeted for inspection by PRISM. North Carolina is in the process of installing ALPRs at 4 additional sites at this time. We will continue to move forward with the deployment of these technologies to assist enforcement members in becoming more effective.

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.

1. Meet the federal OOS carrier catch rate of 85% or more with active OOS Orders.
2. Utilize monthly PRISM reports generated within our agency to monitor the performance measures for OOS orders.
3. Monitor reports and accountability for members /supervisors in the field

5 - Hazardous Materials Transportation Safety

Instructions:

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

Check this box if:

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

6 - State-Identified Objective (Optional)**Instructions:**

Describe any other identified State-specific objectives.

State Objective #1

Enter the title of your State-Identified Objective.

Problem Statement Narrative: Describe problem identified by performance data.

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

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).

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

Basic & Incentive Enforcement Activities

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

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

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

Instructions for Overview:

Describe components of the State's general Roadside and Fixed-Facility Inspection Program that are not already detailed as part of a specific program goal. Include the day to day routine for inspections and explain resource allocation decisions (i.e., Number Of FTE, where inspectors are working and why).

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

Overview

The NCSHP will conduct driver/vehicle inspections statewide during FY2017 at both fixed-facility locations (e.g., weigh stations) and on roadways identified as having high number of fatal CMV-involved crashes. The North Carolina MCSAP inspection program encompasses impaired drivers, interdiction activities, CDLIS checks, operating authority checks, out-of-service enforcement, and distracted drivers with an emphasis on texting and cell phone ban in CMVs.

Fixed facilities are staffed by civilian weigh station operators (WSO). Times of operation are aligned with peak traffic volume, combined with random non-standard opening hours. Sworn MCSAP troopers can work at fixed facility weigh stations to perform level 1 inspections as well as special operation campaigns (e.g. Operation AirBrake, BrakeCheck, etc.).

In recent years, the NCSHP has traditionally had members who were dedicated 100% of the time to MCSAP eligible activities and members who were part of the Size and Weight Unit but completed some MCSAP eligible activities. Only members who were dedicated to MCSAP were charged against the MCSAP Basic grant. This year, the NCSHP will not have any field members dedicated 100% of the time to MCSAP eligible activities. In FFY 2017, the NCSHP will submit vouchers that include personnel time for any member of the NCSHP who completes a MCSAP eligible activity. To provide a better overall picture of the inspection program, a summary of field personnel is provided below:

- There are 56 LEO MCSAP positions statewide (Troops A-H) who complete regular patrol duties and NAS inspections.
- There are 177 LEO positions statewide (Troops A-H) assigned to the Size and Weight Unit who complete regular patrol duties, size and weight activities, and NAS inspections.
- Total of 56 + 177 = 233 LEO completing NAS inspections

It is estimated that the NCSHP will complete 73,500 inspections this year and that each inspection is estimated at an average of 2.5 hours per inspection. The estimate of 2.5 hours per inspection is an aggregate estimate of the following activities: NAS inspection time, trooper administration, supervisor administration, court, equipment check, training, patrol time, post-crash inspection, and traffic safety information presentations. This constitutes 38% of the sworn LEO Trooper time.

Inspection Program Strategies

North Carolina has a two-pronged approach for maximizing the effectiveness of its roadside inspection program.

1. *Allocation Model* - Roadside inspections are conducted by CVSA certified troopers throughout the state. In order to maximize the effectiveness of these roadside inspection activities, the NCSHP is utilizing FMCSA's Roadside Intervention Allocation Model (RIEM). The RIEM provides guidance for how many inspections and what level of inspection level should be conducted for each troop in order to avoid the most crashes and save the most lives.

2. *Geospatial Analytics* - Troop supervisors prioritize and target enforcement activities using map analytics to visualize relationships of crash locations to inspections and citations. This tool aids in identifying known problem areas and times statewide to more effectively allocate resources for reducing CMV crashes.

Emphasis will be placed on increasing the quality of inspections in order to continue to meet or exceed the national out of service rate average (17%). This emphasis on a quality inspection program includes a three-pronged approach. This approach will be to:

1. Maintain successes and improve out-of-service and violation catch rates by selecting high-risk carriers for inspection screenings

2. Adopt and continue to implement technology-driven screening and selection tools (i.e. LPRs).

3. Augment traffic enforcement program to include a minimum Level 3 inspection with every traffic citation. The NCSHP will also monitor inspections quarterly using SafetyNet inspection data (e.g., conducted in FuelTaCS), including levels of inspections, data accuracy, data completeness, upload timeliness, and out-of-service rates to ensure the state is on track to meet inspection projections.

Lastly, the NCSHP strives for performance excellence. As such, Troop supervisors and command staff collectively track how each troop, and the state overall, is performing against the CVSP inspection goals. This is done using COVERLAB Analytics, and online data visualization performance measurement system. Troop supervisors use COVERLAB Analytics' "Scorecard" for continuously tracking overall inspection goals, inspection level percent, violation rates and out-of-service rates for each troop as well as each individual trooper. This tool identifies gaps in performance so that Troops can re-allocate resources for better operational planning.

The inspection data for North Carolina indicates that upwards of 80-90% of the crash picture is caused by driver error. This leads the state to conclude that more time should be spent on driver-focused inspections and cmv driver traffic enforcement.

In addition, North Carolina has implemented FMCSA's Roadside Intervention Effectiveness Model (RIEM) to calculate the most effective distribution of inspection levels. The RIEM model output suggested that reducing Level 1 inspection percent to 10.37% and increasing Level 2 inspections to 55.31 would save more lives, avoid more crashes, and prevent more injuries than the ratio recommended by the MCSAP Comprehensive Policy.

A Level 3 inspection will be conducted with any CMV traffic enforcement stop, regardless if a citation is issued or not.

For FY 2016, North Carolina conducted 11,034 Level 1 inspections, which was 14.7% of all inspections. North Carolina will adjust its Level 1 inspection goal for FY 2017 from 10% to 20%. North Carolina had reduced its emphasis on Level 1 in FY 2016 for a couple of reasons:

- FMCSA's Roadside Intervention Effectiveness Model (RIEM) applied to North Carolina inspection data showed a greater benefit to the state in terms of lives saved and injuries and crashes avoided by increasing Level 2 inspections.
- While North Carolina has put forth considerable effort to reducing CMV collisions, the state still continues to be in the "Top Ten" FMCSA CMV Crash States. Steadily increasing truck-traffic and the presence of several high volume interstate corridors contributes to this fact. The highest frequencies of fatal crashes in North Carolina occur on Interstate, U.S. and NC highways. These three road classes collectively comprise 74% of all fatal crashes in North Carolina. Over half (52.5%) occurred on US and NC highways, the focus of this proposed enforcement. (ITRE, NCDOT TEAAAS, 2014-2016). With over half of the crashes occurring on US and NC roads, NCSHP will be conducting level 2's and 3's on these roadways. We feel it's an officer safety issue to perform level 1's on two lane non divided highways. FMCSA policy states that it "recommends" 25% of inspection should be level 1's. I feel we have provided justification of why NCSHP believes 20% level 1's is consistent with our data and program in FY2017.

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: NORTH CAROLINA HIGHWAY PATROL

Enter the total number of certified officers in the Lead agency: 233

FY 2017 Driver/Vehicle Inspection Goals					
	Estimated Performance Goal				
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1	6900	592	131	7623	10.37%
Level 2	37300	3200	150	40650	55.31%
Level 3	22500	1864	60	24424	33.23%
Level 4	50	50	9	109	0.15%
Level 5	50	50	594	694	0.94%
Level 6				0	0.00%
Sub-Total Lead Agency	66800	5756	944	73500	

Funded Agencies

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

Enter the name of the Funded Agency:

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

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

Non-Funded Agencies

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

Summary

Total FY 2017 Driver/Vehicle Inspection Goals For Lead, Funded and Non-Funded Agencies					
MCSAP Lead Agency: NORTH CAROLINA HIGHWAY PATROL					
# certified officers: 233					
Funded Agencies:					
# certified officers: 0					
Number of Non-Funded Agencies:					
# certified officers:					
	Estimated Performance Goal				
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1	6900	592	131	7623	10.37%
Level 2	37300	3200	150	40650	55.31%
Level 3	22500	1864	60	24424	33.23%
Level 4	50	50	9	109	0.15%
Level 5	50	50	594	694	0.94%
Level 6				0	0.00%
Total ALL Agencies	66800	5756	944	73500	

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 way the state tracks traffic enforcement data is different than A&I. North Carolina collects more traffic enforcement violations than what is captured in A&I. The NCSHP does not have a non-CMV enforcement program per say but does stop passenger vehicles around cmv's during the course of regular cmv enforcement activities. To date, NCSHP has not been collecting this data but has created an internal method to capture the data in Fuel Tacs (NC's version of ASPEN). This system is set to begin collecting data in October 2016.

The NCSHP does not have a non-CMV enforcement program per say but does stop passenger vehicles around cmv's during the course of regular cmv enforcement activities.

It is estimated that the NCSHP will complete 73,500 inspections this year and that each inspection is estimated at an average of 2.5 hours per inspection. The estimate of 2.5 hours per inspection is an aggregate estimate of the following activities: NAS inspection time, trooper administration, supervisor administration, court, equipment check, training, patrol time, post-crash inspection, and traffic safety information presentations. This constitutes 38% of the sworn LEO Trooper time.

State Law 20-187.3 prohibits setting quotas on enforcement activities

20-187.3. Quotas prohibited.

(a) The Secretary of Public Safety shall not make or permit to be made any order, rule, or regulation requiring the issuance of any minimum number of traffic citations, or ticket quotas, by any member or members of the State Highway Patrol. Pay and promotions of members of the Highway Patrol shall be based on their overall job performance and not on the basis of the volume of citations issued or arrests made. Members of the Highway Patrol shall be subject to salary classes, ranges and longevity pay for service as are applicable to other State employees generally. Beginning July 1, 1985, and annually thereafter, each member of the Highway Patrol shall be granted a salary increase in an amount corresponding to the increments between steps within the salary range established for the class to which the member's position is assigned by the State Human Resources Commission, not to exceed the maximum of each applicable salary range.

- Non-CMV citations data was collected from the last 3 years, NCSHP/MCE averaged 5000 citations written exclusively to non-CMV's. When projecting future goals and averages for FY2017, NCSHP will attempt to cite an average of 5000 non-cmv citations which seems to be consistent with past performance.

- Action Plan: NCSHP MCSAP-funded uniformed members have been previously instructed to concentrate their enforcement action on private vehicles that are in violation of the law around commercial motor vehicles. This directive is still active and has been reiterated to all NCSHP MCSAP-funded uniformed members and their supervisors. The NCSHP currently tracks and reports all MCSAP and non-MCSAP warnings and North Carolina Uniform Citations (NCUC's) issued to CMV's and passenger vehicles.

- Moving forward in FY2017, the NCSHP will work in conjunction with our Technical Services Unit and our North Carolina Department of Transportation (NCDOT) IT partners to prepare a report that tracks private vehicle enforcement activity initiated in and around CMV's for all personnel assigned to the MCE (MCSAP) program. When completing future MCSAP Basic Grant quarterly reports, MCE HQ staff will provide non-CMV traffic enforcement data for all personnel assigned to MCE (MCSAP). Estimated Completion Date: December 30, 2016.

What are North Carolina's Traffic Enforcement Goals?

The traffic enforcement goal for FY2017 is to maintain traffic enforcement inspections at the SafetyNet baseline of FY2016 of 7602.

What is North Carolina's Level of Effort for CMV enforcement?

CMV with Inspection - All NCSHP Motor Carrier Enforcement (MCE) troopers will conduct a minimum Level 3 inspection with every CMV traffic enforcement activity. Goals for this are specified below.

CMV without Inspection – MCE troopers will not conduct traffic enforcement operations without conducting at least a Level 3 inspection. Non-MCE troopers will conduct some CMV traffic enforcement stops without an inspection, but not as part of the MCSAP Basic grant. State law prohibits setting a goal for how many traffic enforcement stops shall be conducted. State law prohibits setting a goal for how many traffic enforcement stops shall be conducted.

Comprehensive and high visibility enforcement in high risk locations and corridors (special enforcement details) - The NCSHP will conduct a minimum of 24 LIDAR operations statewide. These activities will be conducted in high fatal and serious injury corridors and prioritized based on high crash locations, contributing factors, time of day / day of week and coordination with partner agencies. The NCSHP will continue to partner with local law enforcement agencies for ramping up focused enforcement interventions on CMVs.

How does North Carolina Allocate Resources for Meeting Traffic Enforcement Goals?

Troop supervisors prioritize and target enforcement activities using COVERLAB Analytics, a data visualization application provided by NC States' Commercial Vehicle Enforcement Resource Lab. COVERLAB Analytics shows locations, time-of-day and day-of-week and contributing circumstance profiles for each troop, and is used by command staff to visualize relationships of crash locations to inspections and citations. This tool aids in identifying known problem areas and times statewide for more effectively allocating resources to reduce CMV crashes.

Moving forward in FY2017, NCSHP will work in conjunction with our Technical Services Unit and our North Carolina Department of Transportation (NCDOT) IT partners to prepare a report that tracks private vehicle enforcement activity initiated in and around CMV's for all personnel assigned to the MCE (MCSAP) program. When completing future MCSAP Basic Grant quarterly reports, MCE HQ staff will provide non-CMV traffic enforcement data for all personnel assigned to MCE (MCSAP). This new capability is estimated to be complete by late December, 2016.

What are North Carolina's CMV Traffic Enforcement Activities?

1. MCSAP Troopers will continue to conduct visual observations and cite CMV drivers operating a CMV while talking on a cell phone during peak truck traffic times. (6a-6p)
2. MCSAP Troopers will continue to observe and cite seat belt violations at weigh stations and on state maintained roads.
3. Continue to conduct quarterly WolfPack operations with local law enforcement agencies in high crash corridors state-wide.
4. Continue to conduct major CMV traffic enforcement special operations (e.g. Port Checks, WolfPacks)
5. Continue to conduct passenger vehicle traffic enforcement focusing on aggressive driving (following too close, erratic lane changes, cutting off) behaviors in and around the vicinity of CMVs.

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	7602
<input type="radio"/>	<input checked="" type="radio"/>	CMV without Inspection	
<input checked="" type="radio"/>	<input type="radio"/>	Non-CMV	
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	

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

What are North Carolina's Traffic Enforcement Strategies?

The NCSHP will employ a two-tiered strategy for prioritization of traffic enforcement activities to maximize efficiency and effectiveness of its resource pool. This strategy is outlined below.

1. High crash corridors – First, the NCSHP will focus traffic enforcement activities and high-visibility traffic enforcement campaigns on sections of highway that have been geographically identified as high crash corridors. These “top 5” fatal and serious injury CMV crash corridors will be identified by NC State University's Commercial Vehicle Enforcement Resource Lab (COVERLAB) for prioritizing resources based on fatal and serious injury totals.

2. Non-MCE Trooper Coordination – The second traffic enforcement strategy for will be to coordinate traffic enforcement activities with the ‘traditional’ non-CMV enforcement side of the NCSHP. This coordination be in concert with North Carolina's Vision Zero (NCVZ) initiative, a statewide effort to reduce traffic fatalities among all safety stakeholders. As part of this initiative, non-MCE troopers apply data-driven enforcement strategies by tracking trends and patterns with Vision Zero Analytics (VZA), a data visualization and performance measurement tool provided by NC State University. VZA helps NCSHP identify the types of activities and levels of enforcement resources to address known problem times and locations by exposing specific behaviors that contributed to the crashes, crash locations, time of day and day of week.

3 - Carrier Investigations

Instructions:

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

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

The North Carolina State Highway Patrol currently has two civilian personnel conducting motor carrier compliance reviews. Our investigators receive their assignments from the Federal Motor Carrier Safety Administration's NC Division office, and Federal Programs Manager. Once assignments are received, they conduct enhanced investigations of motor carriers by performing compliance reviews. TRP RESPONSE - There is one full time employee that conducts carrier investigations full time and another member who is committed fifty percent of the time.

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.

The North Carolina State Highway Patrol's State Carrier Intervention efforts currently entail those that are already detailed from the FMCSA. The NCSHP only conducts CR's that are assigned to us by the FMCSA. There are currently two (2) civilian auditors that perform CR's. Intrastate carrier investigations are conducted by either Keith Royal and/or Mark Herring. The assignments Keith and Mark receive are from the FMCSA because FMCSA Investigators and the New Entrant Auditors do not do these types of investigations. This program mirrors the Federal program and practices.

There is one full time employee that conducts carrier investigations full time and another member who is committed fifty percent of the time.

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 number of compliance review's to be completed is dependent on the number of CR's assigned by the FMCSA. The North Carolina State Highway Patrol does not assign any CR's. We will measure the qualitative components of our carrier intervention program by observing the safety scores of the carriers that have received this intervention.

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

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

☐

Our State does not conduct reviews/investigations.

FY 2017 Carrier Investigation Goals		
Review/Investigation Type	Interstate Goals	Intrastate Goals
Rated and Non-rated Reviews (Excludes CSA & SCRs)		
Non-HM Cargo		
Passenger		
HM		
Rated and Non-rated Reviews (Excludes CSA & SCRs) Total	0	0
CSA Off-Site Investigations		
Non-HM Cargo CSA Off-Site		
Passenger CSA Off-Site		
HM CSA Off-Site		
CSA Off-Site Investigations Sub-total	0	0
CSA On-Site Focused Investigations		
Non-HM Cargo CSA On-Site Focused	10	23
Passenger CSA On-Site Focused		
HM CSA On-Site Focused		
CSA On-Site Focused Investigations Sub-total	10	23
CSA On-Site Comprehensive		
Non-HM Cargo CSA On-Site Comprehensive	9	20
Passenger CSA On-Site Comprehensive		
HM CSA On-Site Comprehensive		
CSA On-Site Comprehensive Sub-total	9	20
CSA Investigations (all Types) Total	19	43
HM-Related Review Types		
Security Contact Reviews (SCRs)		
Cargo Tank Facility Reviews		
Shipper Reviews		
HM-Related Review Types Total	0	0
ALL REVIEW TYPES GRAND TOTAL	19	43

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

NA

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.:

North Carolina's Public Education and Awareness program is specifically focused on providing CMV Safety education across North Carolina to help decrease the number and severity of CMV crashes. The performance objective will be to provide presentations and outreach to local law enforcement agencies, judicial community, and the motoring public to educate them on CMV safety issues, regulations, seat belt and state regulatory changes. All full time MCSAP funded employees will participate in these activities. This strategy contains multiple approaches targeted at specific audiences: 1.General Motoring Public / Teen/Older Drivers 2.Trucking / Passenger Carrier Industry 3.Law Enforcement Agencies / Judicial community.

The average safety presentation lasts around 4 hours. The table below states that we will conduct 473 presentations (473 presentations x 4 hours = 1,892 hours).

This is an average of the presentation time, travel, and preparation.

There will not be any FTE strictly assigned to do these presentations. The state's one-hundred counties are divided into eight troops statewide. Members from each troop will make these presentations based on the geographical location of the audience. An estimate of hours that will be billed as safety presentations is included. In summary, the NCSHP does not intend to devote a FTE to do presentations, rather assign members based on their location.

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	200
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	200
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	8
<input checked="" type="radio"/>	<input type="radio"/>	State-sponsored outreach events	0
<input checked="" type="radio"/>	<input type="radio"/>	Local educational safety events	25
<input checked="" type="radio"/>	<input type="radio"/>	Teen safety events	40

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

1) General Motoring Public / Teen / Older Drivers -- Conduct Public Service Announcements (PSA) directed at the motoring public including the "Leave Room for Trucks" and the "No Zone" programs; present to senior drivers during local church presentations; and present to younger drivers at local high schools. MCE members will conduct educational outreach events to churches that operate passenger carrying vehicles.

2) Trucking / Passenger Carrier Industry - Make CMV safety awareness presentations at various industry meetings, conferences, and truck driving schools. Also, because drilling activities in North Carolina have not started yet, we will use this opportunity to take lessons learned from other states for successful outreach strategies to these

companies. At such time, North Carolina intends to work closely with NCDOT Pavement Management Unit to implement these activities.

3) **Law Enforcement / Judicial Community** - Present CMV awareness training to law enforcement agencies to increase their knowledge of CMV laws and how to effectively stop CMVs safely on public roads within their jurisdictions and properly report CMV crashes. Provide educational information to judicial community to improve their knowledge of CMV laws and regulations. Seek to increase CMV adjudication rates for CMV convictions as written on traffic citations.

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

The number of presentations and attendees for each audience group will be recorded and reported quarterly.

- 1) **General Motoring Public / Teen / Older Drivers** - The number of presentations to the general motoring public, young and older drivers, and the number of attendees at these presentations.
- 3) **Trucking / Passenger Carrier Industry** - Number of presentations made to trucking industry and number of attendees.
- 4) **Law Enforcement / Judicial Community** - The number of presentations, number of law enforcement agencies participating in the training.

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:

North Carolina State Highway Patrol

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

Problem Statement: The North Carolina State Highway Patrol (NCSHP) currently has fifteen (15) civilian auditor positions dedicated to conducting New Entrant Audits in order to assist the Federal Motor Carrier Safety Administration (FMCSA) with the New Entrant Congressional mandate. In addition, there is one (1) coordinator which works closely with the FMCSA Federal & State Program Specialists to provide scheduling of assignments, assurance of accuracy in data submitted (safety reviews) and act as a liaison between the auditors and the FMCSA personnel. The coordinator also conducts safety audits..

The projected goals in this application are based on the sixteen (16) positions funded by the New Entrant Grant. All auditors have been trained in accordance with FMCSA standards and have been through field, on-job-training (OJT) with the NCSHP New Entrant Audit Coordinator. Auditors are located throughout the state and conduct New Entrant safety audits which consist of a review of the carrier's safety management system.

The goal of the North Carolina State Highway Patrol New Entrant Safety Audit Program is to effectively and efficiently manage the workload of New Entrant carriers after entering into the Motor Carrier Management Information System (MCMIS) system by conducting safety audits within the allotted time frame for the specified carrier type (property/passenger).

The North Carolina State Highway Patrol New Entrant Safety Audit Program proposes to conduct 1950 New Entrant safety audits within the statutory timeframe of FFY2017 by utilizing fifteen (15) full-time New Entrant Safety Auditors

and one (1) New Entrant Audit Coordinator.

North Carolina has a significant amount of new carriers entering in the GOTHAM (carrier information system supported by FMCSA) on an annual basis. As of 31 May 2016, there were a total of 1,410 carriers in GOTHAM (FMCSA's analysis system) that need to be audited. Also, as of that same date, the NCSHP has completed 1,276 safety audits. This is an average of 160 audits per month (over an 8 month period). If we continue at the current rate, it is anticipated that the NCSHP will conduct approximately 1,920 safety audits for FFY2016. The annual goal set forth for the New Entrant Audit Program at the beginning of the year was 1,950 audits. Our FFY2017 goal (listed above and below) is 1,950 safety audits. This goal is based on an annual average of 130 New Entrant Safety Audits from each of the 15 certified New Entrant Auditors. Audits conducted by the NE Audit Coordinator during this time frame are not included in this goal.

As the New Entrant Program evolves and changes, North Carolina will continue focusing on improving its overall function and efficiency. This will be achieved by maintaining the quantity of audits (per auditor) and increasing the quality of motor carrier contacts by providing accurate, quality education and guidance to motor carriers.

Guidance received from the FMCSA estimates that approximately 60 – 80 percent of all New Entrant audits will be designated for an offsite review. From October 1, 2015 to May 31st, 2016, 86% of the audits conducted by the NCSHP were offsite audits. The remainder of the audits, 14%, were onsite.

<i>Description</i>	<i>Number</i>
<i>Anticipated number of New Entrant Safety Audits (onsite & offsite) to be conducted by New Entrant program funded positions:</i>	1,950
<i>Anticipated number of Non-Audit resolutions (inactivation, non-responsive, convert to intrastate, etc.) to be conducted by New Entrant program funded positions:</i>	1,212
<i>Anticipated number of Driver/Vehicle Inspections to be conducted by New Entrant program funded positions as part of safety audits:</i>	12
<i>Anticipated number of Driver/Vehicle Inspections to be conducted by New Entrant program funded positions to maintain certification for individuals unable to conduct these activities as part of other assigned duties:</i>	512

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.

Program Activity Plan: Federal Moving Ahead in Progress (MAP-21, Section 32102) legislation detailed new statutory timelines for completing New Entrant safety audits. It decreased the amount of time allotted to conduct an audit on property carriers from 18 months down to 12 months and 9 months down to 120 days for passenger carriers. The NCSHP is currently in compliance and will continue to comply with the new and old rules based on USDOT numbers issued to New Entrant carriers before and after 10/1/2013.

Mitigating Actions: Group audits will be held on an as needed basis. Due to the offsite auditing process, group audits are not anticipated or planned at this time; however, New Entrant auditor in-service training will be conducted annually.

In August of 2015, all NCSHP auditors received training on the new NE offsite audit process. This process has assisted in maintaining the effectiveness and efficiency of our New Entrant Audit program by expediting the amount of time required to complete an audit. Offsite audits have lead to reduced costs related to vehicle operation (gas, maintenance) as well as reduced man-hours per audit.

New Entrant Safety Auditors report to the Motor Carrier Safety Assistance Program (MCSAP) Sergeant in their assigned district. The MCSAP Sergeant will monitor the NEWS (New Entrant Web System) assignment list for each safety auditor in their district and ensure that New Entrant carriers are having safety audits completed within the specified time frame for the carrier type (property/passenger). Also, as a secondary check, the New Entrant Program Coordinator will monitor the GOTHAM and NEWS lists for all NCSHP New Entrant Safety Auditors and ensure that New Entrant carriers are having safety audits completed within the specified time frame for the carrier type.

New Entrant grant funded personnel will conduct the appropriate number of safety inspections required to meet the minimum federal standards set forth in 49 C.F.R. part 385, subpart C and have access to FMCSA information systems to upload inspection reports. NCSHP safety auditors are required to maintain their NAS/CVSA Level one and Hazardous Materials inspection certifications by conducting 32 Level one (including 8 Haz-Mat) inspections during each federal fiscal year (1 October – 30 September). In addition to their audit activities, each safety auditor is given sufficient time to complete their required certification inspections.

ANTICIPATED SUMMARY OF ACTIVITIES		
# of Safety Audits conducted (TOTAL)		1,950
	# of Safety Audits conducted by Onsite SA processes:	273
	# of Safety Audits conducted by Offsite SA processes:	1,677
# of Non-Audit Resolutions (TOTAL)		1,212
	# of Non-Audit Resolutions (Onsite SA processes):	170
	# of Non-Audit Resolutions (Offsite SA processes):	1,042
# of Inspections to Maintain Certification (TOTAL)		512
Consistent with the MCSAP Comprehensive Policy:	# of Compliance Reviews/CSA Interventions:	0
	# of Driver/Vehicle Inspections:	512

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.

Performance Measurement Plan: The district MCSAP Sergeant will monitor safety auditor inspection performance on a quarterly basis to ensure that each auditor assigned to their district is working toward completing their required annual certification inspections in a sufficient and timely manner.

The New Entrant Audit Program Coordinator will monitor the individual work load assigned to each safety auditor on a monthly basis to ensure that the new audit timelines are being met which would prevent overdue carrier audits from appearing on the GOTHAM list. In addition to monthly monitoring, the New Entrant Audit Program Coordinator will also make contact with the appropriate district MCSAP Sergeant and NE Auditor when any carrier is close to

becoming overdue on the GOTHAM list.

The NCSHP New Entrant Program is measured by carrier contacts (New Entrant Safety Audits, and non-audit resolutions) on a quarterly basis. Each auditor is given a goal of 130 audits per year. Individual auditor performance toward meeting their annual goal will be measured on a monthly basis by the New Entrant program coordinator and the district MCSAP sergeant. This will ensure they are on target to meet their specified goal. The agency NE goal will be measured on a quarterly basis by NCSHP Headquarters personnel to ensure that the agency is on target to meet the overall audit performance goal as specified above. The Motor Carrier Management Information System (MCMIS) and GOTHAM will be utilized to assist with tracking individual New Entrant Auditor and agency New Entrant performance.

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)	273	0
# of Safety Audits (Offsite)	1677	0
TOTAL Safety Audits	1950	0
# of Non-Audit Resolutions	1212	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): \$1,453,210.00

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
Straight Overtime	1	100	1	\$15,017.42	\$15,017.42	\$12,764.81	\$2,252.61	\$0.00
Holiday Pay	1	100	1	\$50,000.00	\$50,000.00	\$42,500.00	\$7,500.00	\$0.00
Shift Prem 10% pay	1	100	1	\$51,268.20	\$51,268.20	\$43,577.97	\$7,690.23	\$0.00
LEO Field Inspection Troopers	1	100	1	\$4,889,167.10	\$4,889,167.10	\$4,155,792.03	\$733,375.07	\$400,000.00
Civilian HQ Staff	1	100	1	\$342,889.00	\$342,889.00	\$291,455.65	\$51,433.35	\$0.00
Civilian Field Personnel	1	100	1	\$98,672.00	\$98,672.00	\$83,871.20	\$14,800.80	\$0.00
LEO Field Sergeants	8	90	2080	\$32.78	\$490,913.28	\$417,276.29	\$73,636.99	\$0.00
LEO Headquarters Staff	1	100	1	\$313,594.00	\$313,594.00	\$266,554.90	\$47,039.10	\$0.00
Sub-Total Salary					\$6,251,521.00	\$5,313,792.85	\$937,728.15	\$400,000.00
Overtime Information								
Overtime		100	1	\$2,000.00	\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total Overtime					\$0.00	\$0.00	\$0.00	\$0.00
TOTAL PERSONNEL					\$6,251,521.00	\$5,313,792.85	\$937,728.15	\$400,000.00

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

Personnel Narrative

In recent years, the NCSHP has traditionally had members who were dedicated 100% of the time to MCSAP eligible activities and members who were part of the Size and Weight Unit but completed *some* MCSAP eligible activities. Only members who were dedicated to MCSAP were charged against the MCSAP Basic grant. This year, the NCSHP will not have any field members dedicated 100% of the time to MCSAP eligible activities. In FFY 2017, the NCSHP will submit vouchers that include personnel time for *any* member of the NCSHP who completes a MCSAP eligible activity. To provide a better overall picture of the inspection program, a summary of field personnel is provided below:

- There are 56 LEO MCSAP positions statewide (Troops A-H) who complete regular patrol duties and NAS inspections.
- There are 177 LEO positions statewide (Troops A-H) assigned to the Size and Weight Unit who complete regular patrol duties, size and weight activities, and NAS inspections.
- Total of 56 + 177 = 233 LEO completing NAS inspections

It is estimated that the NCSHP will complete **73,500** inspections this year and that each inspection is estimated at an average of **2.5 hours per inspection**. The estimate of 2.5 hours per inspection is an aggregate estimate of the following activities: NAS inspection time, trooper administration, supervisor administration, court, equipment check, training, patrol time, post-crash inspection, and traffic safety information presentations*.

#Staff	%Time	Work Year Hours	Hourly Rate
233	38%	2080	Master Trooper Hourly Rate (average) \$28.72 salary + \$8.04 fringe = \$36.76/hr.
<p>2080 WYH x 233 LEO = 484,640 eligible work year hours</p> <p>73,500 inspection goal x 2.5 hours per inspection* = 183,750 hours</p> <p>484,640 eligible work years x 38% of time = 184,163 hours (<i>estimated up to 38% would be 184,163 hours</i>)</p> <p>Estimated Costs 184,163 inspection hours x \$36.72 (\$28.72 salary + \$8.04 fringe (\$5.84 Retirement/Benefits+ \$2.20 Social Security) = \$5,289,161 salary + \$1,480,670 = \$6,769,839</p>			

Along with these positions, there are 8 LEO MCSAP Sergeant positions in the field, one for each troop. They are fully dedicated to MCSAP supervisory activities *most* of the time. As with field personnel, NCSHP will only voucher for MCSAP Sergeant time that consists of NAS inspection time, trooper administration, supervisor administration, court, equipment check, training, patrol time, post-crash inspection, and traffic safety information presentations. It is estimated that they will spend 90% of their time dedicated to MCSAP eligible activities.

<p>8 Field MCSAP Sergeants @ 90% of time</p> <p>2080 work year hours x \$32.78 x 8 salary x 90% = \$490,913</p> <p>2080 x \$9.78 x 8 x 90% = \$146,465</p> <p>\$490,913 salary + \$146,465 fringe = \$637,378</p>

There are 4 LEO MCSAP positions at Headquarters that serve as the MCSAP administrator and administrative staff. They are dedicated to MCSAP supervisory activities 100% of the time

Headquarters Personnel	Annual Salary	Annual Fringe	Total
Captain	\$89,308	Est.\$33,446	\$122,754
Lieutenant	\$81,580	Est.\$32,053	\$113,633
First Sergeant	\$74,516	Est. \$28,083	\$102,599
Sergeant	\$68,190	Est. \$26,171	\$94,361
	\$313,594	\$119,753	\$433,347

There are 8 civilian support positions at Headquarters and Technical Services that are designated to MCSAP support activities 100% of the time

	Annual Salary	Annual Fringe	Total
Processing Assistant V	\$41,104.00	Est. \$15,005.75	\$56,109.74
Technology Support Specialist	\$57,469.00	Est. \$18,764.79	\$76,233.78
Social Research	\$60,693.00	Est.\$20,415.34	\$81,108.34
Technology Support Analyst - MCSAP	\$40,747.00	Est. \$14,923.75	\$55,670.74
Processing Tech - MCSAP	\$38,436.00	Est. \$16,122.91	\$54,558.90
Information Processing Assistant - MCSAP	\$37,366.00	Est. \$14,988.13	\$52,354.13
Data Entry Operator - MCSAP	\$33,687.00	Est. \$14,787.06	\$48,474.06
Data Entry Operator II - MCSAP	\$33,387.00	Est. \$13,233.15	\$46,620.15
	\$342,889.00	Est. \$128,240.88	\$471,129.88

There are two civilian personnel members that are dedicated 100% of the time to MCSAP eligible activities. These activities include completing compliance reviews assigned by FMCSA and instructing MCSAP training/certifications. These two positions also maintain NAS certification but typically only complete the minimum requirement necessary annually.

	Annual Salary	Annual Fringe	Total
Auditor	\$54,293.00	Est. \$19,800.26	\$74,093.26
Auditor	\$44,379.00	Est. \$17,200.02	\$61,579.01
Total	\$98,672.00	\$37,000.28	\$135,672.27

As part of the personnel budget there is regular civilian salary, regular LEO salary, straight overtime pay, holiday pay, and shift premium. Overtime projects are not SCHEDULED however funds are budgeted since costs are sometimes incurred when a trooper unavoidably works past his/her scheduled shift. This is an unpredictable amount and is budget based on historic trends.

All supporting documentation will be provided for review with each voucher and is from the North Carolina Accounting System's (NCAS) general ledger. This reflects the breakdown of salary among individual accounts. Time and attendance are tracked in the state's Beacon system and is available for review as well.

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
EPA & SPA Longevity Pay	100	\$23,047.00	\$23,047.00	\$19,589.95	\$3,457.05	\$0.00
Social Security Contribution	100	\$41,327.00	\$41,327.00	\$35,127.95	\$6,199.05	\$0.00
REG Retirement Contribution	100	\$82,763.00	\$82,763.00	\$70,348.55	\$12,414.45	\$0.00
Med INS Contribution	100	\$66,770.00	\$66,770.00	\$56,754.50	\$10,015.50	\$0.00
Workers Comp-Med Payments	100	\$5,000.00	\$5,000.00	\$4,250.00	\$750.00	\$0.00
SWORN FRINGE Cont	100	\$1,746,888.00	\$1,746,888.00	\$1,484,854.80	\$262,033.20	\$0.00
SWORN Flexible Spending	100	\$2,000.00	\$2,000.00	\$1,700.00	\$300.00	\$0.00
SWORN LEO Seperation	100	\$5,000.00	\$5,000.00	\$4,250.00	\$750.00	\$0.00
SWORN Disability Cont	100	\$700.00	\$700.00	\$595.00	\$105.00	\$0.00
SWORN EPA and SPA Longevity Pay	100	\$30,000.00	\$30,000.00	\$25,500.00	\$4,500.00	\$0.00
Sub-Total Fringe Benefits			\$2,003,495.00	\$1,702,970.75	\$300,524.25	\$0.00

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

Fringe benefits are calculated as a *summation* of the actual fringe benefits per employee and include: Longevity Pay, Social Security, Health Insurance, Retirement contribution, Flex Spending Account, Disability, **LEO Separation Allowance** and Workers Compensation. The amount included here is a projection based on the current personnel that are assigned to do inspections for a percentage of time. The costs of fringe are provided under written leave policies and are equitably allocated to all realted activities and the cash accounting basis is consistently followed by the state.

A spreadsheet generated by Beacon, the state's time and attendance system, with the projected breakdown of the salary and fringe of each individual can be submitted upon request. The figures listed above are a best-estimate of the frienge benefits associated with personnel costs for billable MCSAP activities. For example, even though personnel may have the same working title (i.e., trooper) they could have different rates of retirement contribution (longevity) or vacation. Therefore individual actual fringe may be different.

The specific amount will be included with each voucher as supporting documentation and will reflect the actual amount of fringe benefits.

Fringe Benefits include: Social Security is 7.65%, Civilian Retirement Contribution is 14.69%, LEO Retirement Contribution is 20.21%, Health insurance is a specific amount (\$5,471), and longevity depends on years of service.

The sworn retirement rare is 5.60% for hospital and medical benefits, .41% for disability income plan, .16% for death death plan benefit, 5% for state law enforcement officer retirement supplement, .01% for the qualified excess benefitarangement totalling 11.07%.

The civilian retirement rate os 5.6% for hospital and medical benefits, .41% for disability income plan, and .01% for the qualified excess benefit arrangement totalling 6.07%.

██████████ The LEO Seperation is a retirement fringe benefit that is given at the time of retirement (with thirty years of creditable law enforcement service) and is .85% of the members annual salary x's the total number years of creditable service and then divided by twelve and issued monthly until the member is sixty-two years old.

3 - Spending Plan: Travel

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

Travel Cost Spending Plan Narrative						
Purpose	# of Staff	Days	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Routine MCSAP Travel & Port Checks	52	12	\$54,785.65	\$46,567.80	\$8,217.85	\$0.00
Conference Travel	20	20	\$22,323.80	\$18,975.23	\$3,348.57	\$0.00
Training Travel	11	11	\$4,708.00	\$4,001.80	\$706.20	\$0.00
Sub-Total Travel			\$81,817.45	\$69,544.83	\$12,272.62	\$0.00

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

Travel Narrative

Routine MCSAP Travel - Routine travel includes participation in NAIC, in-state meetings for inspectors to meet and review motor carrier topics and information relevant to MCSAP, and Special Operation events such as Port Check and Roadwatch.

Routine MCSAP Travel

Conference Travel - The NCSHP maintains a robust MCSAP inspection program. In an effort to maintain the inspections program, NCSHP participates in the CVSA conferences and workshops to address the wide range of regulations and out-of-service criteria enforced by the federal government and states. Also, training requirements for inspectors, new federal regulations, database updates, changing formats and requirements for programs, funding issues, state directors meetings, industry representatives, and sharing experiences and knowledge between other state MCSAP administrators are essential components to the NC MCSAP inspection program.

Conference Travel		
<p>*The NCSHP maintains a robust MCSAP inspection program. . Members of the Patrol's Size & Weight program complete half the total inspections in the state. In an effort to maintain the inspections program, NCSHP participates in the CVSA conferences and workshops to address the wide range of regulations and out-of-service criteria enforced by the federal government and states. Also, training requirements for inspectors, new federal regulations, database updates, changing formats and requirements for programs, funding issues, state directors meetings, industry representatives, and sharing experiences and knowledge between other state MCSAP administrators are essential components to the NC MCSAP inspection program. In addition, is often where FMCSA shares pertinent program and grant management information with states.</p>		
CVSA Conference Fall-Spring		
8 personnel x12 days x117.70 per day		
\$77.90/day lodging \$39.80/day meals	Meals - Out of State	\$ 3,820.80
	Lodging - Out of State	\$ 7,478.40
(\$300.00 airfare x 8 personnel x 2 fall/spring)	Trans-Air-Out State, In US	\$ 4,800.00
(\$50.00 parking/tips x 8 personnel x2 fall/spring)	Misc. Out of State	\$ 1,200.00
(\$40.00 transportation x 8 personnel x2 fall/spring)	Trans-Ground-Out State, In US	\$ 640.00
	Subtotal	\$ 17,939.20
COMED Conference Training		
4 Troopers x 6 days x \$115.55 per day		
(\$78.05/day lodging \$37.50/day meals)	Meals - Out of State	\$ 955.20
	Lodging - Out of State	\$ 1,869.60
(\$300.00 airfare x 4 Troopers)	Trans-Air-Out State, In US	\$ 1,200.00
(\$50.00 parking/tips x 4 Troopers)	Misc. Out of State	\$ 200.00
(\$40.00 transportation x 4 Troopers)	Trans-Ground-Out State, In US	\$ 159.80
	Subtotal	\$ 4,384.60
	Total Conference	\$ 22,323.80

Training Travel - Training funds are budgeted for the ITS Conference, the FMCSA Grant Workshop and FMCSA Grant Training. Staff at Patrol Headquarters are most typically the ones to participate in training.

Training Travel		
ITS Conference for Data Quality		
3 personnel x 4 days x117.70 per day	Meals - Out of State	\$ 477.60
\$77.90/day lodging \$39.80/day meals	Lodging - Out of State	\$ 934.80
	Trans-Air-Out State, In US	\$ 1,050.00
	Misc. Out of State	\$ 500.00
	Trans-Ground-Out State, In L	\$ 500.00
	Subtotal	\$ 1,412.40
FMCSA Grant Workshop		
4 personnel x 4 days x117.70 per day	Meals - Out of State	\$ 636.80
\$77.90/day lodging \$39.80/day meals	Lodging - Out of State	\$ 1,246.40
	Trans-Air-Out State, In US	\$ 1,400.00
	Misc. Out of State	\$ 500.00
	Trans-Ground-Out State, In L	\$ 500.00
	Subtotal	\$ 1,883.20
FMCSA Grant training		
4 personnel x 3 days x117.70 per day	Meals - Out of State	\$ 477.60
\$77.90/day lodging \$39.80/day meals	Lodging - Out of State	\$ 934.80
	Trans-Air-Out State, In US	\$ 1,400.00
	Misc. Out of State	\$ 500.00
	Trans-Ground-Out State, In L	\$ 500.00
	Subtotal	\$ 1,412.40
	Total Training	\$ 4,708.00

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

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

The State does not intend to purchase any equipment from MCSAP funds.

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
263 49CFR Books	263	books	\$18.75	\$4,931.25	\$4,191.52	\$739.73	\$0.00
263 FMCSR Handbooks	263	books	\$6.10	\$1,604.30	\$1,363.70	\$240.60	\$0.00
263 Out of Service Reg Books	263	books	\$21.00	\$5,523.00	\$4,694.55	\$828.45	\$0.00
General Office Supplies	1		\$2,000.00	\$2,000.00	\$1,700.00	\$300.00	\$0.00
Office furniture for MCSAP members	1		\$1,000.00	\$1,000.00	\$850.00	\$150.00	\$0.00
Sub-Total Supplies				\$15,058.55	\$12,799.77	\$2,258.78	\$0.00

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

Supplies

Office furniture such as desks or chairs will be assigned to MCSAP personnel at Headquarters or used at places where inspections are conducted. General office supplies will be ordered at Headquarters and used for MCSAP related activities. Regulation books include the out of service criteria book, the FMCSA book of federal regulations, and the 49 CFR book of hazardous material regulations. A total of 263 will be purchased of each to make sure there are books available for CVSA schools.

Regulation Books

263 Out of Service \$20/ea + \$1/SH ea. = \$4,931.25

263 FMCSR-Handbooks \$6.10/ea = \$1,604.30

263 49CFR Books \$18.75/ea = \$4,931.25

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
Maintenance Contracts	\$1,500.00	\$1,275.00	\$225.00	\$0.00
ITRE at NC State University - Analytical Fees	\$197,000.00	\$167,450.00	\$29,550.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total Contractual	\$198,500.00	\$168,725.00	\$29,775.00	\$0.00

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

Contractual

Annual general maintenance contracts cover repairs to printers and copiers that have previously been purchased with MCSAP funds and are used to support MCSAP activities.

TRE at North Carolina State University provides critical program evaluation services, analysis tools, research and training that assist with developing and improving state and troop-level operational enforcement planning. ITRE has continuously maintained support of the MCE MCSAP program since 2005, and has supported CMV crash mapping efforts since 2001. During this period, a number of analysis and program evaluation capabilities have been developed by ITRE, and made available via NC State University's Commercial Vehicle Enforcement Resource Lab (COVERLAB). COVERLAB-developed analytic tools and resources are actively being used by Troop command staff and supervisors for tracking and improving MCSAP measurable goals and objectives. The MCSAP program relies on the continuation of this partnership to ensure both program continuity as well as the efficient use of enforcement resources by virtue of developing 'smart' strategies. Finally, the MCE's university (ITRE) partnership has elevated North Carolina's MCSAP efforts to the national level as a model for developing a continuously improving data-driven enforcement program.

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
Postage, Freight, and Delivery	1		\$2,000.00	\$2,000.00	\$1,700.00	\$300.00	\$0.00
CVSA Decals	13000	decal	\$0.30	\$3,900.00	\$3,315.00	\$585.00	\$0.00
CVSA Dues	1	year	\$9,800.00	\$9,800.00	\$8,330.00	\$1,470.00	\$0.00
non-MCSAP funded inspections completed				\$0.00	\$0.00	\$0.00	\$200,000.00
Leased Office Space	12		\$6,472.00	\$77,664.00	\$66,014.40	\$11,649.60	\$0.00
COMED Registration	2	1	\$250.00	\$500.00	\$425.00	\$75.00	\$0.00
CVSA Registration	16	1	\$450.00	\$7,200.00	\$6,120.00	\$1,080.00	\$0.00
Air Card Service	13	year	\$360.00	\$4,680.00	\$3,978.00	\$702.00	\$0.00
Cell Phone Service	11	year	\$360.00	\$3,960.00	\$3,366.00	\$594.00	\$0.00
Sub-Total Other Costs				\$109,704.00	\$93,248.40	\$16,455.60	\$200,000.00

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

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Other

- Postage fees, stamps & freight delivery charges for any items that are delivered

- CVSA Decals (approx. 13,000 @ \$.30/decal)
- CVSA Membership Dues (eight members)
- Leased office space in each troop for MCSAP Personnel -eight troops @ average total of \$6,472.00 /mo.(including monthly data line, utilities, telephone, janitorial).
- COMED Conference
3-4 personnel estimated @ \$500.00 *Registration fee
- CVSA Conference
\$450.00 x 16 personnel *Registration fee
- Communications - wireless and cell phone service for MCSAP related business
\$8,640 (\$3,960 + \$4,680)

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	\$8,234,854.00	\$1,453,210.00	\$9,688,064.00

Allowable amount for Overtime (15% of total award amount without justification): \$1,453,210.00

Maximum amount for Non-CMV Traffic Enforcement (10% of Basic funding amount): \$682,959.00

Personnel (Payroll Costs)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Straight Overtime	\$12,764.81	\$2,252.61	\$15,017.42	\$0.00
Holiday Pay	\$42,500.00	\$7,500.00	\$50,000.00	\$0.00
Shift Prem 10% pay	\$43,577.97	\$7,690.23	\$51,268.20	\$0.00
Overtime	\$0.00	\$0.00	\$0.00	\$0.00
LEO Field Inspection Troopers	\$4,155,792.03	\$733,375.07	\$4,889,167.10	\$400,000.00
Civilian HQ Staff	\$291,455.65	\$51,433.35	\$342,889.00	\$0.00
Civilian Field Personnel	\$83,871.20	\$14,800.80	\$98,672.00	\$0.00
LEO Field Sergeants	\$417,276.29	\$73,636.99	\$490,913.28	\$0.00
LEO Headquarters Staff	\$266,554.90	\$47,039.10	\$313,594.00	\$0.00
Subtotal for Personnel	\$5,313,792.85	\$937,728.15	\$6,251,521.00	\$400,000.00

Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
EPA & SPA Longevity Pay	\$19,589.95	\$3,457.05	\$23,047.00	\$0.00
Social Security Contribution	\$35,127.95	\$6,199.05	\$41,327.00	\$0.00
REG Retirement Contribution	\$70,348.55	\$12,414.45	\$82,763.00	\$0.00
Med INS Contribution	\$56,754.50	\$10,015.50	\$66,770.00	\$0.00
SWORN EPA and SPA Longevity Pay	\$25,500.00	\$4,500.00	\$30,000.00	\$0.00
SWORN FRINGE Cont	\$1,484,854.80	\$262,033.20	\$1,746,888.00	\$0.00
SWORN Flexible Spending	\$1,700.00	\$300.00	\$2,000.00	\$0.00
SWORN LEO Separation	\$4,250.00	\$750.00	\$5,000.00	\$0.00
SWORN Disability Cont	\$595.00	\$105.00	\$700.00	\$0.00
Workers Comp-Med Payments	\$4,250.00	\$750.00	\$5,000.00	\$0.00
Subtotal for Fringe Benefits	\$1,702,970.75	\$300,524.25	\$2,003,495.00	\$0.00

Program Travel				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Routine MCSAP Travel & Port Checks	\$46,567.80	\$8,217.85	\$54,785.65	\$0.00
Conference Travel	\$18,975.23	\$3,348.57	\$22,323.80	\$0.00
Training Travel	\$4,001.80	\$706.20	\$4,708.00	\$0.00
Subtotal for Program Travel	\$69,544.83	\$12,272.62	\$81,817.45	\$0.00

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

Supplies				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
263 49CFR Books	\$4,191.52	\$739.73	\$4,931.25	\$0.00
263 FMCSR Handbooks	\$1,363.70	\$240.60	\$1,604.30	\$0.00
263 Out of Service Reg Books	\$4,694.55	\$828.45	\$5,523.00	\$0.00
General Office Supplies	\$1,700.00	\$300.00	\$2,000.00	\$0.00
Office furniture for MCSAP members	\$850.00	\$150.00	\$1,000.00	\$0.00
Subtotal for Supplies	\$12,799.77	\$2,258.78	\$15,058.55	\$0.00

Contractual (Subgrantees, Consultant Services, etc.)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Maintenance Contracts	\$1,275.00	\$225.00	\$1,500.00	\$0.00
ITRE at NC State University - Analytical Fees	\$167,450.00	\$29,550.00	\$197,000.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal for Contractual	\$168,725.00	\$29,775.00	\$198,500.00	\$0.00

Other Expenses				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Postage, Freight, and Delivery	\$1,700.00	\$300.00	\$2,000.00	\$0.00
CVSA Decals	\$3,315.00	\$585.00	\$3,900.00	\$0.00
CVSA Dues	\$8,330.00	\$1,470.00	\$9,800.00	\$0.00
non-MCSAP funded inspections completed	\$0.00	\$0.00	\$0.00	\$200,000.00
Leased Office Space	\$66,014.40	\$11,649.60	\$77,664.00	\$0.00
COMED Registration	\$425.00	\$75.00	\$500.00	\$0.00
CVSA Registration	\$6,120.00	\$1,080.00	\$7,200.00	\$0.00
Air Card Service	\$3,978.00	\$702.00	\$4,680.00	\$0.00
Cell Phone Service	\$3,366.00	\$594.00	\$3,960.00	\$0.00
Subtotal for Other Expenses including Training & Conferences	\$93,248.40	\$16,455.60	\$109,704.00	\$200,000.00

Total Costs				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Direct Costs	\$7,361,081.60	\$1,299,014.40	\$8,660,096.00	\$600,000.00
Total Costs Budgeted	\$7,361,081.60	\$1,299,014.40	\$8,660,096.00	\$600,000.00

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	\$8,234,854.00	\$1,453,210.00	\$9,688,064.00

Cost Summary by Budget Category				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Personnel Total	\$5,894,905.55	\$1,040,277.45	\$6,935,183.00	\$400,000.00
Fringe Benefit Total	\$1,979,973.85	\$349,407.15	\$2,329,381.00	\$0.00
Program Travel Total	\$72,746.27	\$12,837.58	\$85,583.85	\$0.00
Equipment Total	\$0.00	\$0.00	\$0.00	\$0.00
Supplies Total	\$14,443.33	\$2,548.82	\$16,992.15	\$0.00
Contractual Total	\$168,725.00	\$29,775.00	\$198,500.00	\$0.00
Other Expenses Total	\$104,060.40	\$18,363.60	\$122,424.00	\$200,000.00
Total Costs				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Direct Costs	\$8,234,854.40	\$1,453,209.60	\$9,688,064.00	\$600,000.00
Indirect Costs	\$0.00	\$0.00	\$0.00	\$0.00
Total Costs Budgeted	\$8,234,854	\$1,453,210	\$9,688,064	\$600,000

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.

**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	078351786
2.	Organization legal name associated with the DUNS	North Carolina Department of Public Safety
3.	Address associated with your DUNS Number	512 N. Salisbury Street Raleigh, NC 27604
4.	Name of the primary application point of contact (POC) for the information contained in the ACQ	Myra Beckers
5.	POC Phone Number	919-436-3010
6.	POC E-mail Address	myra.beckers@ncdps.gov

PART II – General Information and Assurances		
1.	Is your organization in compliance with applicable Anti-Lobbying Policies included in Lobbying Form GG and, if applicable, the SF-LLL Disclosure of Lobbying Activities?	Yes
2.	Have any key personnel listed in the application for your organization been debarred or suspended from participation in Federal assistance programs?	No
3.	Please identify any court judgment, compliance review deficiency, and/or complaint investigation finding relating to Title VI of the Civil Rights Act of 1964 and related Nondiscrimination authorities (to include the Federal-Aid Highway Act of 1973, Title IX of the Education Amendments of 1972, Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, Executive Order #12898 (Environmental Justice) and Executive Order #13166 (Limited English Proficiency)) within the last five years from the beginning of the Federal fiscal year (October 1) under the announcement in which you are applying.	N/A
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?	Combination
3.	Has an audit been performed on the organization's financial statement?	No
4.	What was the audit opinion?	N/A
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 http://ncauditor.net/EPSWeb?Reports/Financial?FSA-2013-8730.pdf
6.	If yes, were there any major finding	No
7.	In no, please explain why an audit was not performed.	N/A

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

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

PART IV – Administrative Capability		
Instructions: Mark the appropriate box to the right for each item. If your organization meets the requirement, mark the box in the “Yes” column. If your organization does not meet the requirement described, mark the box in the “No/Explain” column. If applicable, provide explanations in the “No/Explain” column or in an attachment.		
Capability Title	Yes	No/Explain
Procurement Standards <u>2 CFR § 200.317</u> through <u>§ 200.326</u> (as applicable to entity type)		

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

PART IV – Administrative Capability			
Capability Title		Yes	No/Explain
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 (2 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 Frank Perry

Title Secretary, NC Department of Public Safety

Signature 

Date 7/15/16

ANNUAL CERTIFICATION OF COMPATIBILITY & REGULATORY COMPATIBILITY REVIEW

Requirements

Required by 49 C.F.R. § 350.213(l), this document must be executed by the State's Governor, Attorney General, or other State official specifically designated by the Governor stating that the annual review was performed and the result of the annual review (including information on variances previously approved by FMCSA and variances submitted to FMCSA consideration but not yet approved).

The document must either indicate that State CMV laws remain compatible with the FMCSRs and HMRs or identify any incompatibilities and include an explanation regarding the State's progress towards achieving compatibility and the date by which compatibility is expected to be achieved.

North Carolina Annual Review - Results

The State has adopted commercial motor carrier and highway hazardous materials safety rules and regulations that are compatible with the FMCSRs and the HMRs, including information on variance previously approved by FMCSA.

A review was conducted in 2013 and all corrections have been made with the exception of rewriting general statute that pertains to Section 32934 of MAP-21, which provides a wide exception from the regulations for the operation of covered farm vehicles.

North Carolina has rewritten N.C. General Statute 20-376 exempting farmers from Part 396 (Inspection, Repair, and Maintenance), (Federal Inspection). This request has been sent to the N. C. General Assembly for approval. The North Carolina State Highway Patrol has not been given an expected completion date.

The update will read as follows:

- (6) Covered farm vehicle includes any commercial motor vehicle (CMV) (defined in 49 CFR 390.5, but excluding vehicles transporting hazardous materials in a quantity requiring placards), traveling in the State in which the vehicle is registered or another State, and:
- (a) Is operated by—
 - (i) a farm owner or operator, or an employee or family member of the farm owner or operator; or
 - (ii) a ranch owner or operator; or an employee or family member of the ranch owner or operator.
 - (b) Is being used to transport to or from a farm or ranch—
 - (i) agricultural commodities;
 - (ii) livestock; or

- (iii) machinery or supplies;
- (c) Is equipped with a special license plate or other designation by the State in which the vehicle is registered to allow for identification of the vehicle as a farm vehicle by law enforcement personnel; and
- (d) Has a gross vehicle weight rating (GVWR), gross combination weight rating (GCWR) or gross vehicle weight or gross combination weight, whichever is greater, that is—
- (i) 26,001 pounds or less, for vehicles operating in interstate commerce anywhere in the United States; or
 - (ii) greater than 26,001 pounds and traveling in interstate commerce within the State in which it is registered, or
 - (iii) greater than 26,001 pounds and traveling in interstate commerce within 150 air miles of the farm or ranch with respect to which the vehicle is being operated, regardless of whether it is being operating within the State it is registered.
- (e) The operation of "covered farm vehicles" is exempt from:
- 49 CFR Part 383: Commercial Driver's License Standards; Requirements and Penalties
 - 49 CFR Part 382: Controlled Substances and Alcohol Use and Testing
 - 49 CFR Part 391: Subpart E: Physical Qualifications and Examinations
 - 49 CFR Part 395: Hours of Service
 - 49 CFR Part 396: Inspection, Repair and Maintenance



Frank Perry, Secretary
NC Department of Public Safety

7/15/16

Date

APPENDIX A

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

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

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

APPENDIX B

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

NOW, THEREFORE, the Department of Transportation as authorized by law and upon the condition that the (*North Carolina Department of Public Safety*) will accept title to the lands and maintain the project constructed thereon in accordance with (*N.C.G.S. 146-22, et. seq.*), 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 (*North Carolina Department of Public Safety*) 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 (*North Carolina Department of Public Safety*) 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 (*North Carolina Department of Public Safety*), its successors and assigns.

The (*North Carolina Department of Public Safety*), 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 (*North Carolina Department of Public Safety*) 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 (*North Carolina Department of Public Safety*) 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, (*North Carolina Department of Public Safety*) 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 (*North Carolina Department of Public Safety*) 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 (*North Carolina Department of Public Safety*) 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 (North Carolina Department of Public Safety) 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, (North Carolina Department of Public Safety) 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, (North Carolina Department of Public Safety) will there upon revert to and vest in and become the absolute property of (North Carolina Department of Public Safety) and its assigns.*

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

APPENDIX E

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

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

Certification of MCSAP Conformance (State Certification) - Fiscal Year 2017

1, Frank Perry, Secretary of the Department of Public Safety, on behalf of the State (or Commonwealth) of *North Carolina*, 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 rules and regulations that are compatible with the FMCSRs and the HMRs.**
- 2. The State has designated *the North Carolina State Highway Patrol* as the lead agency to administer the CVSP for the grant sought and *the North Carolina State Highway Patrol, Motor Carrier Enforcement* to perform defined functions under the plan. These agencies have the legal authority, resources, and qualified personnel necessary to enforce the State's commercial motor carrier, driver, and highway hazardous materials safety laws or regulations.**
- 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 or regulations in a manner consistent with the approved plan.**
- 4. The laws of the State provide the State's enforcement officials right of entry 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 and State CMV safety laws and regulations.**
- 8. The State must maintain the total expenditure of amounts of the lead State agency responsible for implementing the CVSP, exclusive of Federal assistance and State matching funds, for CMV safety programs eligible for funding under the Basic program at a level at least equal to the average level of that expenditure for fiscal years 2004 and 2005. These expenditures must cover at least the following four program areas, as applicable:**
 - a. Motor carrier safety programs in accordance with 49 CFR 350.109.**

- b. Size and weight enforcement programs in accordance with 49 CFR 350.309(c)(1).
- c. Drug interdiction enforcement programs in accordance with 49 CFR 350.309(c)(2).
- d. Traffic safety programs in accordance with 49 CFR 350.309(d).

9. The State will ensure that CMV size and weight and drug interdiction enforcement activities funded with MCSAP funds will not diminish the effectiveness of the development and implementation of other CMV safety enforcement programs.

10. The State will ensure that sanctions imposed by the State are consistent, effective, and equitable.

11. The State will establish and dedicate sufficient resources to a program to ensure that accurate, complete, and timely motor carrier safety data is collected and reported to FMCSA; participate in a national motor carrier safety data correction program (DataQs); ensure participation in appropriate FMCSA systems and other information systems by all appropriate jurisdictions receiving MCSAP funding; and ensure information is exchanged in a timely manner with other States.

12. The State will ensure that the CVSP, data collection, and information systems are coordinated with the State highway safety program under 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 *Don Nall, Governor's Highway Safety Program, 215 East Lane Street, Raleigh, NC 27601 (919) 733-3083*.

13. The State has undertaken efforts to emphasize and improve enforcement of State and local traffic laws as they pertain to CMV safety.

14. The State will ensure that MCSAP agencies have departmental policies stipulating that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel.

15. The State will ensure that requirements relating to the licensing of CMV drivers are enforced, including checking the status of CDLs.

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, carrier interventions, compliance reviews, or driver/vehicle roadside inspections.

17. The State will enforce operating authority requirements under 49 CFR 392.9a by prohibiting the operation of any vehicle discovered to be operating without the required operating authority or beyond the scope of the motor carrier's operating authority.

18. The State will enforce the financial responsibility requirements under 49 CFR Part 387 as applicable to CMVs subject to the provisions of 49 CFR 392.9a.

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 station, terminal, border crossing, maintenance facility, destination, or other location where motor carriers may make planned stops.

22. The State will ensure that it transmits to its roadside inspectors the notice of each Federal exemption granted pursuant to 49 U.S.C. Section 31315(b) and provided to the State by the FMCSA, including the name of the person granted the exemption and any terms and conditions that apply to the exemption.

Signature




Date

7/15/16

Additional Comments or Footnotes:

Enter State Name: North Carolina
Enter Name of Lead MCSAP Agency: North Carolina State Highway Patrol
MCSAP MAINTENANCE OF EFFORT (MOE) SUBSTANTIATION TEMPLATE
FEDERAL FISCAL YEAR (FFY): 2015

LEAD AGENCY MCSAP-ELIGIBLE EXPENDITURES for FFY 2015 (October 1, 2014 through September 30, 2015)		FFY 2015 TOTAL MCSAP ELIGIBLE EXPENDITURES ¹
Personnel (Payroll Costs)		
Basic 2015 Voucher #1 (Oct 01, 2014 to Dec 31, 2014)		\$1,125,224.00
Basic 2015 Voucher #2 (Jan 01, 2015 to March 31, 2015)		\$1,142,488.74
Basic 2015 Voucher #3 (April 01, 2015 to May 31, 2015)		\$747,707.31
Basic 2015 Voucher #4 (June 01, 2015 to Sep 30 2015)		\$1,520,228.16
Subtotal for Personnel		\$4,535,648.21
Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.)		
Basic 2015 Voucher #1 (Oct 01, 2014 to Dec 31, 2014)		\$448,019.78
Basic 2015 Voucher #2 (Jan 01, 2015 to March 31, 2015)		\$444,126.94
Basic 2015 Voucher #3 (April 01, 2015 to May 31, 2015)		\$327,626.28
Basic 2015 Voucher #4 (June 01, 2015 to Sep 30 2015)		\$585,719.72
Subtotal for Fringe Benefits		\$1,805,492.72
Program Travel		
Basic 2015 Voucher #1 (Oct 01, 2014 to Dec 31, 2014)		\$0.00
Basic 2015 Voucher #2 (Jan 01, 2015 to March 31, 2015)		\$188.00
Basic 2015 Voucher #3 (April 01, 2015 to May 31, 2015)		\$6,906.25
Basic 2015 Voucher #4 (June 01, 2015 to Sep 30 2015)		\$59,235.58
Subtotal for Program Travel		\$66,329.83
Equipment		
Vehicles and Related Vehicle Equipment		
Basic 2015 Voucher #1 (Oct 01, 2014 to Dec 31, 2014)		\$0.00
Basic 2015 Voucher #2 (Jan 01, 2015 to March 31, 2015)		\$0.00
Basic 2015 Voucher #3 (April 01, 2015 to May 31, 2015)		\$0.00
Basic 2015 Voucher #4 (June 01, 2015 to Sep 30 2015)		\$0.00
Subtotal for Vehicles and Related Vehicle Equipment		\$0.00
Non-Vehicle Equipment		
Basic 2015 Voucher #1 (Oct 01, 2014 to Dec 31, 2014)		\$0.00
Basic 2015 Voucher #2 (Jan 01, 2015 to March 31, 2015)		\$0.00
Basic 2015 Voucher #3 (April 01, 2015 to May 31, 2015)		\$0.00
Basic 2015 Voucher #4 (June 01, 2015 to Sep 30 2015)		\$0.00
Subtotal for Non-Vehicle Equipment		\$0.00
Subtotal for Equipment		\$0.00
Supplies		
Basic 2015 Voucher #1 (Oct 01, 2014 to Dec 31, 2014)		\$0.00
Basic 2015 Voucher #2 (Jan 01, 2015 to March 31, 2015)		\$358.96
Basic 2015 Voucher #3 (April 01, 2015 to May 31, 2015)		\$1,071.15
Basic 2015 Voucher #4 (June 01, 2015 to Sep 30 2015)		\$5,662.37

Subtotal for Supplies	\$7,092.48
Contractual (Sub Grantees, Consultant Services, etc.)	
Basic 2015 Voucher #1 (Oct 01, 2014 to Dec 31, 2014)	\$28,469.01
Basic 2015 Voucher #2 (Jan 01, 2015 to March 31, 2015)	\$70,283.02
Basic 2015 Voucher #3 (April 01, 2015 to May 31, 2015)	\$123,809.50
Basic 2015 Voucher #4 (June 01, 2015 to Sep 30 2015)	\$183,463.92
Subtotal for Contractual	\$406,025.45
Other Expenses	
Basic 2015 Voucher #1 (Oct 01, 2014 to Dec 31, 2014)	\$18,725.01
Basic 2015 Voucher #2 (Jan 01, 2015 to March 31, 2015)	\$14,347.70
Basic 2015 Voucher #3 (April 01, 2015 to May 31, 2015)	\$28,845.48
Basic 2015 Voucher #4 (June 01, 2015 to Sep 30 2015)	\$31,557.06
Other inspectios - Cost of NAS inspections completed by members who are not funded by MCSAP	\$275,000.00
Subtotal for Other Expenses including Training & Conferences	\$368,475.25
TOTAL DIRECT COSTS	\$7,189,063.94
TOTAL APPROVED INDIRECT COSTS	\$0.00
TOTAL MCSAP ELIGIBLE COSTS EXPENDED	\$7,189,063.94
Federal Grant Funds Expended	\$5,211,251.00
Associated State Matching Funds Expended	\$1,378,724.47
Total Grant Related Funds Expended	\$6,589,975.47
Total MOE Funds Expended	\$599,088.47
CERTIFICATION AND VALIDATION OF FFY 2015 MOE EXPENDITURES	
TOTAL MOE BASELINE (MAP-21 Baseline years of 2004 and 2005)	\$595,164.20
TOTAL MOE EXPENDITURES	\$599,088.47
<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 : Frank L. Perry, NCDPS Secretary	DATE:
	7/15/16
EMAIL ADDRESS FOR CERTIFYING OFFICIAL: frank.perry@ncdps.gov	PHONE NUMBER: (919) 733-2126

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.

Voucher # 1 Oct-Dec 2014

	Actual Exps (80+20%)	80% MOE Included	20% Requested	
6A	1,125,224.00	900,179.20	229,766.23	1,129,945.43
6B	448,019.78	358,415.82	90,233.01	
6H	18,725.01	14,980.01	(0.00)	
6F	28,469.01	22,775.21	(0.00)	
	1,620,437.80	1,296,350.24	319,999.24	

6A = Personnel
6B=Fringe Benefits
6C=Travel
6D=Equipment
6E=Supplies
6F=Contractual
6H=Other

Total Requested 80%
5,211,251.00

State Share 20%
1,378,724.47

Voucher # 2 Jan - March 2015

	Actual Exps	80%	20% Requested
6A	1,142,488.74	913,990.99	228,497.75
6B	444,126.94	355,301.55	88,825.39
6C	188.00	150.40	37.60
6E	358.96	287.17	71.79
6H	14,347.70	11,478.16	2,869.54
6F	70,283.02	56,226.42	14,056.60
	1,671,793.36	1,337,434.69	334,358.67

Voucher # 3 April - May 2015

	April Actual Exps	May Actual Exps	Total Ap/May	80%	20% Requested
6A	377,628.36	370,078.95	747,707.31	598,165.85	149,541.46
6B	146,443.60	181,182.68	327,626.28	262,101.02	65,525.26
6C	1,828.64	5,077.61	6,906.25	5,525.00	1,381.25
6E	1,071.15	-	1,071.15	856.92	214.23
6H	7,585.26	21,260.22	28,845.48	23,076.38	5,769.10
6F	53,816.82	69,992.68	123,809.50	99,047.60	24,761.90
	588,373.83	647,592.14	1,235,965.97	988,772.78	247,193.19

Voucher # 4 June - Sept 2015

	June Actual Exps	July-Sept Actual	Total June-Sept	80%	20% Requested
6A	383,867.32	1,136,360.84	1,520,228.16	1,216,182.53	304,045.63
6B	141,212.24	444,507.48	585,719.72	468,575.78	117,143.94
6C	27,425.30	31,810.28	59,235.58	47,388.46	11,847.12
6E	6.60	5,655.77	5,662.37	4,529.90	1,132.47
6H	8,028.89	23,528.17	31,557.06	25,245.65	6,311.41
6F	48,537.27	134,926.65	183,463.92	146,771.14	36,692.78
	609,077.62	1,776,789.19	2,385,866.81	1,908,693.45	477,173.36

Voucher # 5 Oct - Nov 2015

	Actual	80%	Requested
6A	33,610.31	26,883.65	105,691.82
6B	(5,597.13)	(4,477.74)	
6C	19,448.37	15,558.70	
6E	523.76	419.01	
6H	559.60	447.68	
6F	83,509.41	66,855.53	
	132,114.77	109,691.82	

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

New Laws and Regulations -North Carolina

Required by 49 C. F. R. § 350. 213(m). a copy of any new law, regulation, or policy affecting CMV safety that was adopted by the State since the last CVSP: these new laws and regulations should be referenced in the Results of the Regulatory Compatibility Review. If there have been no new laws, regulations or policy affecting CMV safety since the last CVSP, you must upload a statement certifying that fact. Attached by the State lead agency in the eCVSP system.

There have been no new laws, regulations, or policy affecting CMV Safety in North Carolina since the submission of the last CVSP in FFY 2016.

Name Frank Perry

Title Secretary, North Carolina Department of Public Safety

Signature 

Date 7/15/16

The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

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

Statutory/Regulatory Authorities

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

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

Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their federally assisted programs and activities to which compliance is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898, 3 C.F.R. 859 (1995), entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in particular Title VI,

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

Additionally, Executive Order 13166, 3 C.F.R. 289 (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 §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 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 (North Carolina Department of Public Safety), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any

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

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

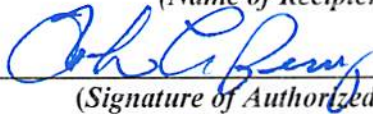
By signing this ASSURANCE, [*North Carolina Department of Public Safety*] also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **FMCSA** access to records, accounts, documents, 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.

[*North Carolina Department of Public Safety*] 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.

North Carolina Department of Public Safety

(Name of Recipient)

by



(Signature of Authorized Official)

DATED

7/15/16

Certification of MCSAP Conformance (State Certification) - Fiscal Year 2017

I, Frank Perry, Secretary of the Department of Public Safety, on behalf of the State (or Commonwealth) of *North Carolina*, 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 rules and regulations that are compatible with the FMCSRs and the HMRs.**
- 2. The State has designated *the North Carolina State Highway Patrol* as the lead agency to administer the CVSP for the grant sought and *the North Carolina State Highway Patrol, Motor Carrier Enforcement* to perform defined functions under the plan. These agencies have the legal authority, resources, and qualified personnel necessary to enforce the State's commercial motor carrier, driver, and highway hazardous materials safety laws or regulations.**
- 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 or regulations in a manner consistent with the approved plan.**
- 4. The laws of the State provide the State's enforcement officials right of entry 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 and State CMV safety laws and regulations.**
- 8. The State must maintain the total expenditure of amounts of the lead State agency responsible for implementing the CVSP, exclusive of Federal assistance and State matching funds, for CMV safety programs eligible for funding under the Basic program at a level at least equal to the average level of that expenditure for fiscal years 2004 and 2005. These expenditures must cover at least the following four program areas, as applicable:**
 - a. Motor carrier safety programs in accordance with 49 CFR 350.109.**

- b. Size and weight enforcement programs in accordance with 49 CFR 350.309(c)(1).
- c. Drug interdiction enforcement programs in accordance with 49 CFR 350.309(c)(2).
- d. Traffic safety programs in accordance with 49 CFR 350.309(d).

9. The State will ensure that CMV size and weight and drug interdiction enforcement activities funded with MCSAP funds will not diminish the effectiveness of the development and implementation of other CMV safety enforcement programs.

10. The State will ensure that sanctions imposed by the State are consistent, effective, and equitable.

11. The State will establish and dedicate sufficient resources to a program to ensure that accurate, complete, and timely motor carrier safety data is collected and reported to FMCSA; participate in a national motor carrier safety data correction program (DataQs); ensure participation in appropriate FMCSA systems and other information systems by all appropriate jurisdictions receiving MCSAP funding; and ensure information is exchanged in a timely manner with other States.

12. The State will ensure that the CVSP, data collection, and information systems are coordinated with the State highway safety program under 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 *Don Nail, Governor's Highway Safety Program, 215 East Lane Street, Raleigh, NC 27601 (919) 733-3083*.

13. The State has undertaken efforts to emphasize and improve enforcement of State and local traffic laws as they pertain to CMV safety.

14. The State will ensure that MCSAP agencies have departmental policies stipulating that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel.

15. The State will ensure that requirements relating to the licensing of CMV drivers are enforced, including checking the status of CDLs.

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, carrier interventions, compliance reviews, or driver/vehicle roadside inspections.

17. The State will enforce operating authority requirements under 49 CFR 392.9a by prohibiting the operation of any vehicle discovered to be operating without the required operating authority or beyond the scope of the motor carrier's operating authority.

18. The State will enforce the financial responsibility requirements under 49 CFR Part 387 as applicable to CMVs subject to the provisions of 49 CFR 392.9a.

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 station, terminal, border crossing, maintenance facility, destination, or other location where motor carriers may make planned stops.

22. The State will ensure that it transmits to its roadside inspectors the notice of each Federal exemption granted pursuant to 49 U.S.C. Section 31315(b) and provided to the State by the FMCSA, including the name of the person granted the exemption and any terms and conditions that apply to the exemption.

Signature



Date

7/15/16

Additional Comments or Footnotes: