

OKLAHOMA

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

Date of Approval: Dec 16, 2016

Final CVSP

Basic and Incentive Program Overview

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

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

Instructions:

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

NOTE: Please do not include a discussion of any safety activities conducted under any other FMCSA focus areas such as New Entrant and Border Enforcement or the High Priority grant program. There are separate sections within eCVSP where information on the New Entrant and Border Enforcement focus areas will be entered. High Priority grant opportunities will be applied for outside the eCVSP system.

The Oklahoma Department of Public Safety (DPS) is designated by the Secretary of Safety and Security, Michael C. Thompson, and at the direction of Governor Mary Fallin, as the lead Motor Carrier Safety Assistance Program (MCSAP) agency for the State. Oklahoma Highway Patrol (OHP) Troop S – Commercial Vehicle Enforcement (Troop S) is responsible for the regulation and enforcement of the Federal Motor Carrier Regulations (49 CFR Parts 40, 303, 325, 350-399), Hazardous Material Regulations (49 CFR Parts 100-185), and Oklahoma Statute Title 47. The State of Oklahoma adopted the FMCSRs and HMRs pertaining to motor carrier safety and hazardous materials transportation which can be found in Oklahoma Administrative Rules, Title 595 - Department of Public Safety. DPS provides Troop S financial and material support to execute this assigned task.

The OHP, a division of DPS, is dedicated to protecting the lives and property of all persons within the State of Oklahoma. This statement is affirmed in the Oklahoma Highway Patrol Operations Manual which proclaims "the primary function of the Oklahoma Highway Patrol is the protection of lives and property in the State of Oklahoma". The OHP will actively pursue the reduction of collisions and fatalities involving CMVs through enforcing Oklahoma State Laws and the FMCSRs. In this pursuit, the OHP will assist the Federal Motor Carrier Safety Administration (FMCSA) in meeting its national goal in the reduction of large truck and bus-related fatalities.

Troop S will focus on problem-specific areas and/or activities of motor carriers and their drivers through random and selective roadside inspections, CMV and non-CMV traffic enforcement, Compliance Investigations, New Entrant Safety Audits, public and motor carrier outreach / education, and data collection. These priorities will ultimately aid in the reduction of collisions & fatalities involving CMVs and criminal activity. This goal will be accomplished through planning using all available data, executing innovative and effective enforcement strategies, and reviewing our efforts on a quarterly basis and making adjustments as needed to attain our goal.

All laws and/or regulations, either State or Federal, pertaining to size & weight, CMV driver and non-CMV driver safety, CMV safety, and hazardous materials (HM) transportation will be administered fairly and impartially, focusing upon the ultimate goal of saving lives through highway safety. This effort will be approached as a partnership between State and Federal enforcement, FMCSA-regulated industry, the motoring public, and other entities concerned with highway safety. All available resources, including education and enforcement activities, will be utilized.

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.

As of July 1, 2016, Troop S - Commercial Motor Vehicle Enforcement division is comprised of: 1 Captain, 8 Lieutenants, 41 uniformed personnel (State Troopers), 5 civilian Safety Investigators, 2 Port-of-Entry (POE) CMV inspectors, 1 DPS attorney, 1 DPS IT support, 4 civilian administrative staff members and 1 civilian program consultant. It should be noted that of the 41 State Troopers, 1 is assigned to the New Entrant Program as a Safety Investigator, 5 Troopers are assigned as Compliance Investigators and the remaining 35 are assigned as roadside inspectors. The number of personnel assigned / employed in Troop S fluctuates throughout the year based on changes which include but not limited to: permanent or temporary assignments, promotions, retirements, and State Law requirements. Troop S recently lost two POE inspectors plus one administrative staff member who all left the agency and is expected to lose at least one more administrative staff member to retirement by FFY 2017. Any vacant positions within the Troop are attempted to be filled as soon as practical and possible. Newly enacted Oklahoma Law may add additional up to 16 additional POE CMV inspectors in Troop S during this grant period.

Troop S personnel are committed to reducing collisions and fatalities involving CMVs by providing CMV education, training and enforcement. This dedication takes place through many activities involving Troop S funded through the MCSAP grant. First, Troop S, CVTEP, and TTEP personnel are certified through Commercial Vehicle Safety Alliance (CVSA) in the North American Standard (NAS) roadside inspection conduct inspections of CMVs and their drivers. OHP uniformed personnel who are certified as roadside inspectors concentrate on mobile enforcement, while Troop S civilian personnel who are certified inspectors concentrate on fixed site enforcement. Inspections, whether occurring at the roadside or fixed locations, enforce State law, including size and weight activity, and the FMCSRs. Second, all OHP uniformed personnel conduct mobile traffic enforcement of State laws on CMVs and non-CMV's. Third, Troop S has certified investigators who, along with their FMCSA partners, conduct Compliance Reviews / Investigations and New Entrant Safety Audits. Fourth, Troop S provides the public, CMV industry, and enforcement officers and/or agencies with education and training through awareness & outreach programs. Fifth, Troop S is responsible for CMV data collection and the accuracy of that information. Supervisor and office personnel review data collection to ensure it is complete, accurate and on time. Any discrepancies discovered by Troop S are either corrected or sent back to the originating source for correction. Some discrepancies are discovered by motor carriers or their drivers. These discrepancies are brought to the attention of Troop S through the Data Q process. Once a Data Q is received, depending on the issue, it is reviewed. The results of the review a determination is made if corrective action should or should not be taken.

Troop S Troopers attend all required Troop meetings and training for CMV enforcement and inspection training updates and changes. Training occurs through classroom instruction, field training, webinars and conference calls. Troop S is anticipating conducting several FMCSA classes during this performance period using MCSAP grant funds, NAS Part A and Part B, General Hazardous Materials, and Hazardous Materials Cargo tank. Troop S has several FMCSA National Training Center (NTC) certified instructors and anticipate sending several more to become certified. These certified NTC instructors not only teach within Oklahoma but also travel throughout the country, as assigned, teaching FMCSA courses to other agencies.

Troop S is active in CVSA activities, conferences and training. CVSA is a non-profit association comprised of local, state, provincial, territorial and federal commercial motor vehicle safety officials and industry representatives. The Alliance aims to achieve uniformity, compatibility and reciprocity of CMV inspections and enforcement by certified inspectors dedicated to driver and vehicle safety. Troop S has several personnel who serve on various CVSA committees. This allows Troop S to ensure they are current with inspection procedures, CVSA policies, FMCSA rules and regulations, and industry concerns. Oklahoma will support and participate in CVSA inspection activities such as International Roadcheck, Operation Airbrake/Brake Safety Week, Operation Safe Driver, and all other pertinent CVSA inspection activities.

Troop S is currently assessing civil penalties on out-of-service violations discovered during roadside inspections according to CVSA out-of-service criteria. Troop S collected roughly \$1,480,000.00 in civil penalties in state fiscal year (SFY) in 2016. Troop S is planning to begin intrastate motor carrier Compliance Reviews / Investigations during this performance period and will use civil penalties as an enforcement tool.

Commercial Vehicle Traffic Enforcement Program (CVTEP)

Troopers from various field Troops throughout the State are assigned to the Commercial Vehicle Traffic Enforcement Program (CVTEP) on a part time basis. Currently there are 17 Troopers of the 20 allotments assigned to CVTEP with more anticipated to be added during this performance period. CVTEP Troopers meet the North American Standard Level I Inspection certification requirement. CVTEP allows Troop S to provide additional enforcement personnel throughout the State. CVTEP Troopers conduct inspections through random inspection of commercial motor vehicles or based on observed traffic enforcement violations. Members of CVTEP provide additional enforcement of seat belt, cell phone & texting, and collision causation violations. This program serves to fulfill the OHP career path for those members who desire to become full time CMV enforcement Troopers. CVTEP Troopers are given an opportunity to become certified in Hazardous Material and Cargo Tank inspections as classes are offered. DPS does not seek reimbursement from FMCSA for CVTEP activity but uses CVTEP eligible hours to help meet our maintenance of effort (MOE).

Traffic Trooper Enforcement Program (TTEP)

Troopers from various field Troops throughout the State are assigned to the Traffic Trooper Enforcement Program (TTEP) on a part time basis. Troopers assigned to this program focus primarily on traffic enforcement/driver behavior initiated inspections. TTEP Troopers are allowed to conduct random inspections of CMVs to meet annual certification requirements. Once annual certification is met they must have probable cause based on observable violation(s) of State law or FMCSRs in order to stop and inspect the CMV. Currently there are 30 Troopers assigned to TTEP with more anticipated to be added during this performance period. The TTEP does not have a cap on the allotment of Troopers assigned to this Program. TTEP Troopers meet various levels of the North American Standard Inspection certification requirement. TTEP further enhances Troop S efforts in reducing collision involving CMVs through traffic enforcement. DPS does not seek reimbursement from FMCSA for TTEP activity but uses TTEP eligible hours to help meet MOE.

Port of Entry (POE)

Port of Entry (POE) inspectors are employed as DPS civilian CMV inspectors assigned to Troop S and report to a fixed site POE conducting CMV inspections. Oklahoma law (T47 os 1167) instructs the Oklahoma Corporation Commission (OCC) to remit the first \$300,000 in fines collected by their agency to DPS for the purpose of staffing POE's with certified safety inspectors. Currently DPS has 2 of the 4 positions filled due to 2 leaving the agency in 2016. One inspector is assigned to the Kay County POE and the other is assigned to the Beckham County POE. All DPS POE inspectors are initially CVSA NAS Level 1 certified with General HM and HM Cargo tank certifications added as classes are available. It should be noted that Oklahoma recently passed legislation allowing DPS to hire an additional 15-20 CMV inspectors. Due to this legislation, Troop S will need to increase the number of POE inspectors during this performance period. DPS does not seek reimbursement from FMCSA for POE activity but uses the salary and fringe costs necessary to operate the POE program to help meet our MOE.

Criminal Interdiction

There are currently 3 TTEP Troopers who are assigned full time to Troop SO - Special Operations / Criminal Interdiction. This troop is primarily responsible for conducting criminal and drug interdiction activities on Oklahoma highways. These Troop SO members are CVSA certified to conduct NAS Level 2 or 3 inspections and work CMV interdiction as well as non-CMV interdiction. Troop SO provides assistance to Troop S whenever requested with canine detection dogs, detection and arrest of CMV drivers transporting illegal substances or illegal currency, and with follow-up investigations as needed.

Special Emphasis

Throughout the performance period, Troop S will conduct various special emphasis in order to facilitate our goal of reducing collisions and fatalities involving CMVs. Some special emphases are in conjunction with CVSA or FMCSA projects such as Road Check, Positive Driver investigations, and Passenger Carrier initiatives. Troop S further establishes additional special emphasis projects that include, but not limited to, Hazardous Materials transportation, Passenger Carrier transportation, drug interdiction, traffic enforcement on CMVs and non-CMV (with violations around CMVs), work zones and high collision corridors. Troop S uses available data on CMV activity, incidents or collisions to determine when and where these need to be worked.

Premium Pay

Throughout the performance period, Troop S will conduct various premium pay shifts in order to facilitate our goal of reducing collisions and fatalities involving CMVs. The premium pay shifts will be conducted in high crash corridors, work zones, and areas with a high traffic number of CMVs travel. Premium pay shifts allow Troop S to help reduce CMV related crashes by increasing our manpower since these shifts allow Troop S troopers to work non-scheduled shifts, increasing our presence, and focusing on areas that need to be targeted.

3 - Basic and Incentive Minimum Requirements - Driver Activities

Instructions:

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

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

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

Enter explanation of activities:

All OHP Troopers receive Standard Field Sobriety Testing training to detect impaired / intoxicated drivers. Troopers are trained and certified on the use of intoxilyzer equipment currently used by the State of Oklahoma as evidence collection for impaired / intoxicated driver criminal and civil cases. Each certified intoxilyzer operator is required to recertify each year in order to retain their certification. Intoxilyzers are readily available to Troopers and DPS civilian inspectors across the state. These devices are located nearby at various police departments, sheriff's office, and jails.

Troop S also has several Troopers who are certified as Drug Recognition Experts. The DREs are trained to observe, recognize and detect drivers who are impaired or under the influence of drugs. While Troop S has several Troopers who are trained as DREs, those who are not DRE certified have access to other Troopers, not in Troop S and other law enforcement agencies who have certified DREs in order to assist in the detection of impaired / intoxicated / drugged CMV drivers, when needed. Troop S is considering working with the Oklahoma Highway Safety Office ENDUI program during this performance period and focus on impaired by drug or alcohol CMV drivers.

Troop S has 1 certified Drug Interdiction Assistance Program (DIAP) instructor and 6 full time Troop S personnel that have had CMV drug / criminal interdiction training through FMCSA. As part of our drug and criminal interdiction efforts, OHP also has 3 certified CVSA NAS inspectors assigned to Troop SO - Special Operations (criminal interdiction unit) that can focus on CMV interdictions. Also, from time to time, Troop S works with Troop SO on joint special emphases concentrating on CMV criminal activities. Troop SO personnel are available any time Troop S personnel need assistance with a criminal interdiction inspection, a need for a narcotics detection service dog, or interdiction follow-up investigations.

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

Instructions:

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

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

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

Enter explanation of activities:

Motor Carrier Operating Authority is checked and verified through various forms of communications and systems. All inspectors are required to check and verify operating authority during an inspection. Troop S personnel currently use the Aspen 3.0 inspection program which allows an inspector to check a carrier's operating authority if they use the pre-screen option. This option, with internet connectivity, queries the Safer system and provides the inspector with the most current authority information on the carrier. Inspectors also have been provided access to the FMCSA portal and training on how to determine operating status on motor carriers both interstate and intrastate. This system is also based on the inspector having connectivity with the internet. Query Central is primarily used to verify operating authority and financial responsibility. If any of the systems go down or are unavailable, the Trooper/inspector can call the OHP office to check a carrier's status or utilize Inspection Selection System (ISS). The ISS system is used as the last resort since it does not provide real time status information. Carriers found operating outside the scope of their authority or under an Out-of-Service order are placed out of service.

In the past year, Troop S inspectors have missed 2 of the 6 Out-of-Service motor carriers they have stopped and inspected. This resulted in a 66% catch rate which is below the acceptable rate. To help combat this issue and increase the catch rate, Troop S will be piloting a new inspection program within the CVEIW system called inSPECT. If this pilot program is successful, Troop S will train and deploy this system to every inspector as a way to increase our catch rate and assist with data collection. Troop S has also developed a guide on authority with various flowcharts on what and when authority is needed. This will be distributed to all roadside inspectors prior to the beginning of this performance period to help assist with any authority issues.

Oklahoma Administrative Rules 165:30-3-11 requires motor carriers to have the "minimum liability insurance limits as set forth in 49 CFR 387". This rule complies with 49 USC 13906, 31138 and 31139.

Basic and Incentive Program Effectiveness Summary - Past Performance

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

1 - State Fatality Reduction Trend Analysis: 2011 - 2015

Instructions:

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

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

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

State Defined Measurement Period (Include 5 Periods)		Fatalities	Goal As Expressed In CVSP (State Defined Measurement)	Outcome (As It Relates To The Goal Column)
Begin Date	End Date	Number of Lives		Indicate Actual Outcome
01/01/2015	12/31/2015	92	95	92
01/01/2014	12/31/2014	97	106	97
01/01/2013	12/31/2013	90	98	90
01/01/2012	12/31/2012	97	104	97
01/01/2011	12/31/2011	79	84	79

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

SAFE-T 06/23/2016

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

Over the past 5 years, Oklahoma had an average 91 fatalities (+/-) involving CMVs. CMV fatalities appear to fluctuate every other year. This fluctuation is due to several factors which include severe winter storms, increased work zones, and increased oilfield operations. In CY 2015, our target goal was 95 fatalities and we were able to exceed our goal with only 92 fatalities.

Although we cannot always plan for unforeseen circumstances such as weather conditions, over the past year we have increased our efforts by increasing our presence in high collision corridors. This past year, Troop S utilized special projects emphasizing inspections and enforcement near work zones to help reduce fatal collisions. However, the increase in work zones throughout Oklahoma is a challenge and will continue to be. Troop S does not have the manpower to show a presence at every work zone. Troop S will use available data to determine problem areas. Troop S is also working on building a stronger partnership with the Oklahoma Department of Transportation to determine where existing work zone problems are currently and help plan future projects that could create collision problems.

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

Instructions:

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

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

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

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

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

SAFE-T 06/23/2016

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

Oklahoma does not have a large number of state domiciled motorcoach companies. During CY 2014, Oklahoma had 1 fatal passenger carrier collision involving a truck-tractor semi crossing over the median and striking a motorcoach carrying a college softball team. Troop S continues to strive for zero motor coach fatal collisions. Troop S does have limitations due to the prohibition of enroute inspections unless a violation is observed. Troop S will conduct at least one unscheduled motorcoach terminal inspection and two scheduled motorcoach terminal inspections during FFY 2017. These terminal inspections are done in conjunction with the FMCSA Southern Service Center Passenger Carrier Safety Initiative usually in the 3rd or 4th quarter of the Federal Fiscal Year.

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

Instructions:

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

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

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

State Defined Measurement Period (Include 5 Periods)		Fatalities	Goal As Expressed In CVSP (State Defined Measurement)	Outcome (As It Relates To The Goal Column)
Begin Date	End Date	Number of Lives		Indicate Actual Outcome
01/01/2015	12/31/2015	11	9	11
01/01/2014	12/31/2014	8	10	8
01/01/2013	12/31/2013	11	4	11
01/01/2012	12/31/2012	9	5	9
01/01/2011	12/31/2011	3	6	3

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

SAFE-T 07/05/16

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

In CY 2013 and 2015 Oklahoma experienced a significant number of HM CMV fatal collisions, most likely due to an increase in pipeline construction within Oklahoma. In the 2016 CVSP, Troop S set a goal of reducing HM CMV collisions by 2% over the next 3 years and reducing HM CMV fatal collisions by 1 each year. Troop S did not reach the HM CMV fatal collision goal of 9 over the past year. Using SAFE-T data Troop S pinpointed the counties where these collisions occurred and were unable to determine a pattern during CY 2015. Of the eight identified counties where HM CMV fatal collisions occurred only four have full time Troop S inspectors within that county. To battle HM CMV related collisions, the Troop S HM Strike Team will conduct special emphases during the upcoming performance period to help reduce those collisions. During the FFY 2017 performance period, Troop S is creating an HM Specialist position. This position will be filled by selecting an inspector who is qualified in HM to lead the HM Strike Team. The HM Specialist will also be responsible for assisting in locating areas throughout the State where HM CMV collisions are occurring and conduct special emphases with the HM Strike Team. The HM Specialist will also help identify HM training specific to Oklahoma needs and train inspectors in those identified needs in order to help reduce collisions involving HM CMVs.

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

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

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

State Defined Measurement Period (Include 5 Periods)		Number Of CMV Traffic Enforcement Stops with an Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
01/01/2015	12/31/2015	6268	8782
01/01/2014	12/31/2014	5616	7515
01/01/2013	12/31/2013	6950	7894
01/01/2012	12/31/2012	6669	9332
01/01/2011	12/31/2011	4911	9427



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



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

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

Traffic Enforcement w/Inspection - SafetyNet 07/06/16 Number of Citations and Warnings - DPS Mainframe 07/06/16 It should be noted that all OHP personnel can and do perform non-CMV traffic enforcement stops. However, the OHP does not have a way to indicate on the non-CMV traffic citations and/or warnings if the violation occurred around a CMV. In the last 2 quarters of FFY 2016, Troop S was able to document 133 non-CMV traffic contacts around a CMV during a premium pay shift which emphasized on CMV and non-CMV driver behavior.

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:

In the first 3 quarters of FFY 2016 Troop S has completed 78 outreach/safety talks throughout the State of Oklahoma. The majority of the safety talk audiences is made up of drivers or motor carrier officials. Troop S does not limit their outreach to only the commercial motor carrier industry but also include the general public as well. It is just as important to provide the general public / civic organizations with CMV related information as it is with the CMV industry. When speaking with the general public / civic organizations the topic usually focuses on driving near or around CMVs and driver behavior. This helps to increase public awareness and education, in turn helping to reduce collisions involving CMVs. During the 2016 performance period, Troop S launched their website dedicated to providing information regarding CMV regulations and general information. This has helped Troop S to educate and inform both the general public and the CMV industry on regulations and up coming events. Visitors can provide their email address and notified of upcoming safety talks that will be conducted at Troop S. We are attempting to conduct 1 safety talk at Troop S every quarter on a CMV related topic. The website also allows visitors to request a safety talk for their organization on a topic they would like to have presented.

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

54 safety talks/presentations

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

Goal of 54 exceeded by 24 for a total of 78, with 3 months to go.

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

Troop S recognizes that it is difficult to reach the masses in all 77 counties of Oklahoma. Two challenges that Troop S faces for this goal are manpower and awareness. The overall number of State Troopers in Oklahoma is down which equates to a reduced number of State Troopers assigned to Troop S. The second challenge is that a large number of the population does not realize Troop S has an education and outreach program. We have taken a couple of steps to help address these challenges. First, we have added our new website address to the roadside inspection report. Second, Inspectors, Safety Investigators and Compliance Investigators attempt to inform the public, drivers and carriers who they come in contact with about our outreach program whenever possible. Troop S will continue to offer a broad range of activities that encourage conversation and interaction among the general public, enforcement and motor carriers. This will be achieved through the continued use of the Troop S website and Troop S outreach activities. During FFY 2017, those assigned to the New Entrant Program will be able to help with our outreach program since they are now part of MCSAP. We will now have another asset that we can use to help in our education and outreach activities and reach our goal. The New Entrant personnel are highly trained and educated in the FMCSRs and able to provide outreach on how to comply with the FMCSRs.

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.

Troop S identified Traffic Enforcement as the State-specific activity in the 2016 CVSP. Collision data shows driver behavior as the leading causation factor of collisions involving CMVs. Troop S roadside inspection Troopers continually focuses on CMV driver behavior while patrolling the highways. In FFY 2016, Troop S also focused on the driver behavior of non-CMV drivers during several special emphases throughout the performance period. Non-CMV driver behavior around CMVs included distracted driving, speeding, unsafe lane changes, left of center, careless / negligent driving and following too close. At the start of FFY 2016 Troop S encouraged Level 3 inspections of CMVs to help address the behavior of CMV drivers. However, after reviewing the Level 3 inspections for the first and part of the second quarter of FFY 2016 it was determined most of the Level 3 inspections being conducted did not show driver behavior violations. A decision was made by Troop S leadership to switch the inspection focus towards Level 1 and 2 inspections instead of having numerous no violation Level 3 inspections. This did not change the focus of looking for driver behavior violations but asking the inspectors to look for any type of violation that may contribute to collisions including unsafe CMVs.

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

Our goal of 3,570 traffic enforcement inspections is based on each of the 35 full time roadside inspectors conducting at least 102 Traffic Enforcement inspections during the performance period.

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

In the first 3 quarters of FFY 2016, Troop S has already conducted 4,595 traffic enforcement inspections. This already exceeds our goal of 3,570 traffic enforcement inspections.

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

As of July 1, 2016 Troop S has 35 Troopers assigned as roadside inspectors. The main challenge of Troop S is the ancillary duties associated with being State Troopers. Even though the uniformed personnel are assigned to Troop S and the MCSAP program, they are still subject to other assigned duties such as instructing at the academy, background investigations, non-CMV collision investigations and other assignments not eligible under the MCSAP grant. Throughout the year we have also had personnel, both uniformed and civilian, that have been off due to injury or extended illness.

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:

The number of collisions involving CMVs in Oklahoma during CY 2015 declined from CY 2014. In CY 2014, Oklahoma had 4802 collisions involving CMVs and 97 fatal collisions involving CMVs. In CY 2015, Oklahoma had 4737 collisions involving CMVs and 92 fatal collisions involving CMVs. SAFE-T data shows the majority of CMV collisions in CY 2015 occurring Monday – Friday between 10:00am and 3:00pm with clear skies and dry roads. The top unsafe/unlawful cause for collisions that involved CMVs was inattentive driving and speed, both at 8.0%. Highway work zones are a constant in Oklahoma and is apparent in collisions involving CMVs with 275 of the 4737 collisions occurring in work zones.

Troop S will continue to work toward a greater reduction of collisions for FFY 2017. With the exception of Oklahoma and Tulsa Counties, Oklahoma is comprised of rural roads, by FMCSA definition. A strong emphasis will be placed on decreasing the number of CMV fatality and injury collisions through roadside enforcement targeting causation factors.

The Oklahoma Highway Patrol is responsible for investigating collisions on all interstate and defense highways, turnpikes and on all highways (roadways) outside of incorporated municipalities. The Oklahoma Highway Patrol uses PARIS, a computerized collision report form, to report collisions they investigate. There are also several other agencies within Oklahoma that use PARIS. All OHP PARIS information is available to Troop S for analysis. In the future, all PARIS collisions will be available for analysis by Troop S. The availability of this information allows Troop S to have a better picture of collisions within Oklahoma. The fact that the PARIS is a computerized system provides Troop S with a closer to real time collision picture than SAFE-T, identifying high collision corridors quicker.

SAFE-T and PARIS data will continued to be monitored and analyzed by Troop S for the purpose of developing strategic enforcement and education plans. Enforcement and education will focus on high collision corridors, work zones, and No Zones (the area around CMVs where violations by non-CMV's occur). Oklahoma's data shows violations around CMVs by non-CMV's play a significant role in CMV involved collisions.

Year	Number	Fatal Accidents
CY 2011	4244	79
CY 2012	4732	97
CY 2013	4745	90
CY 2014	4802	97
CY 2015	4737	92

Enter Data Source Capture Date:

06/23/2016

Enter Data Source:

SAFE-T

Enter Crash Reduction Goal

In the past 5 years, CMV involved collisions have steadily increased with the exception of CY 2015. Troop S anticipates a continued increase in work zone collisions due to existing and future road construction projects throughout Oklahoma. Based on this data, Troop S is setting a multi-year goal of reducing collisions involving CMVs and fatal collisions involving CMVs 3% at the end of CY 2020. Collision numbers from CY 2015 will be the baseline for this goal. Our goal for the end of CY 2020 is 4,595 collisions involving CMVs and 89 fatal collisions involving CMVs.

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

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

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

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

Troop S has the majority of its uniformed personnel assigned to conduct roadside inspections (mobile enforcement). Those Troopers assigned to this function are evaluated annually and provided with a minimum number of inspections required throughout the calendar year. Roadside inspection Troopers are required to conduct mobile enforcement roadside inspections and may also work fixed site facilities. The majority of their inspections should be based on either a documented traffic enforcement violation or contain an eligible size and weight violation. This performance criteria allows the Trooper's inspection to focus on quality over quantity. These Troopers are encouraged to conduct Level 1 and Level 2 inspections to help in the reduction of collisions by finding unsafe CMVs, non-compliant drivers and/or non-compliant motor carriers. With the collision reduction goal in mind, Troop S strives to obtain a 35% out-of-service inspection rate. Level 3 inspections are encouraged for driver behavior or traffic enforcement issues are observed.

The CVTEP and TTEP Troopers conduct mobile enforcement activities focusing on driver behavior and traffic enforcement issues. Troopers assigned to these programs conduct inspections of Level 1, 2, and 3 based on their certification level obtained and maintained. Troop S has activity requirements for each of the respective programs. These programs help to ensure Troop S attains their collision reduction goals.

Troop S personnel also conduct CMV inspections at fixed locations throughout the State. Uniform personnel, from time to time, may work the fixed sites throughout the State but primarily conduct mobile enforcement. Troop S civilian New Entrant Safety Investigators are required to maintain CVSA NAS Level 1 (32) and HM Cargo Tank (8) certifications. Certification inspections performed by civilian Safety Investigators, unless in conjunction with a safety investigation, are performed at fixed POE or weigh stations. Troop S currently has 2 of the 4 POE CMV inspector positions filled. POE inspectors are assigned to a fixed POE site and do not conduct mobile enforcement activities. They are also required to maintain any additional certifications they may have such as General HM or HM Cargo Tank. It should be noted that a new state law requires DPS to hire more POE inspectors, there is no set number of inspector positions but based on funding amounts could be around 15-20 additional CMV inspectors. The new positions would require CVSA NAS Level 1 training including classroom instruction and field training.

Quarterly Troop S will review the collision statistics and patterns using SAFE-T for potential deployment options. Troop S will offer premium pay shifts each month with a specific enforcement focus to target risk factors, crash corridors, non-CMV driver, and more.

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.

Performance Monitoring Reports will be completed quarterly and will contain the following information from the listed source:

SAFE-T collision data will be used to track and report against the previous quarter in order to track our reduction goal progression.

SafetyNet data will be used to track and report the number of roadside inspections conducted.

PARIS data will be used to track and report traffic enforcement contacts and/or citations issued during traffic enforcement premium pay projects during performance period.

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	Insufficient Data	Insufficient Data	Insufficient Data
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:

Date obtained 07/07/16 based on 06/24/16 data

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

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

Data Sources:

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

The State is currently working on Core deployment.

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.

"Good" SSDQ current rating and history (past year) rating.

Oklahoma will continue to work towards maintaining the "good" SSDQ rating. DPS is responsible for CMV collision data collected and reported by all Oklahoma law enforcement agencies.

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.

Although not required, Oklahoma is considering offering classes to OHP and all other law enforcement agencies to provide those in attendance with what information is required on a CMV collision report, how to verify the motor carrier and the importance of consistency and timeliness.

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.

Troop S will continue to monitor monthly SSDQ data to ensure continued "good" rating. If any category starts to decline or has a rating other than "good", Troop S will determine the cause and start corrective action. Progress will be measured by the results of the NFCC tool through A&I.

If the CMV collision reporting class is developed and taught, Troop S will report on the number of classes conducted each quarter on the Performance Monitoring Report.

3 - Passenger Carrier Enforcement

Instructions:

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

Check this box if:

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

Problem Statement Narrative: Describe problem identified by performance data.

There are not a significant amount of interstate motor carriers of passengers based in Oklahoma. Oklahoma also does not have a significant passenger transportation safety problem. However, Troop S is committed to FMCSAs passenger carrier safety national priority by dedicting resources, as needed, to ensure passenger carrier safety does not become an issue.

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

Troop S curently has 8 inspectors CVSA certified as passenger vehicle inspectors with 1 NTC certified PVI instructor.

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

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

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

Program Activities: Additional information regarding how these activities will be implemented.

Troop S will assist and participate in FMCSA's Passenger Carrier Safety Initiative. During this initiative, Troop S will conduct at least 2 announced terminal inspections and 1 unannounced terminal inspection. Terminal inspections help to ensure the motor carriers of passengers are using buses and/or motorcoaches that meet all requirements found in the FMCSRs and are safe to operate.

Troop S will continue to monitor buses and motorcoaches in transit and take the appropriate action for any observed violations of Federal or State regulations, laws or rules.

Troop S is planning on conducting several destination inspections on buses and motorcoaches during this performance period.

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.

Troop S will report the results of the terminal inspections, all compliance investigations (if any assigned), and New Entrant Safety Audits (if any assigned) during the Passenger Carrier Safety Initiative.

Troop S will report all in-transit and destination roadside inspections conducted on motor carrier of passengers (buses and/or motorcoaches) in the quarterly Performance Monitoring Report.

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%:

66

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

Performance Objective: Enter performance objective(s).

Troop S is committed to FMCSAs enforcement of Out-of-Service orders at roadside. Motor carriers who have been declared Out-of-Service due to a declaration of Imminent Hazard or a determination that they are unfit to operate pose an immediate danger to the safety of the traveling public. Those carriers who continue to operate in violation of these types of Out-of-Service orders are consciously and flagrantly disregarding safety regulations and the law.

Troop S recognizes the importance of preventing these motor carriers from continued operations and will continue to work on improving our Federal Out-of-Service catch rate to meet or exceed 85%. As of April 2016, Troop S inspected 6 interstate motor carriers that, at the time of inspection, were under a Federal Out-of-Service order. Troop S caught 4 of the 6 carriers resulting in a 66.6% catch rate. Troop S views this percentage as unacceptable and is working towards an ultimate goal of 100% catch rate.

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.

One of the Out-of-Service carriers missed was due to a lack of understanding at the time of inspection. The inspector saw the OOS order but did not realize the Unfit OOS order prohibited intrastate operations. The second missed carrier was not displaying a name or USDOT number, cited for failing to register with FMCSA and appears the FMCSA Portal was down at the time of inspection.

Troop S is taking steps to ensure roadside inspectors are catching those motor carriers who are under Federal Out-of-Service orders. These steps include updating Troop S policy requiring all motor carriers are checked through the appropriate systems for valid authority, training on how inspectors should be checking the motor carriers authority and what operations are prohibited with a Federal OOS order, and piloting a new inspection program that will assist in providing real time information about a motor carrier.

Troop S currently utilizes the Aspen 3.0 program to record and report CMV inspections. Inspectors using the pre-screen tab in the Aspen program can receive up to date carrier information by entering the carrier's USDOT number. Once entered, as long as the computer is connected to the internet, the program electronically connects to the SAFER system and imports the carriers information into the Aspen program. The carrier information provided through the Aspen program is limited but it does provide the inspector with enough information to determine what authority the carrier has and if they are under a Federal Out-of-Service order. The program does not show the carrier's insurance information.

It is required by Troop policy to access L & I through the FMCSA Portal to check and verify the carrier's authority and insurance. The inspector can also access this information using the CVIEW system. However, if the inspector does not have connectivity to the internet they will not be able to access the Portal. There have also been several occasions in which the FMCSA Portal has gone down and when this occurs the inspector cannot check real time authority status.

All inspection personnel have been provided a training document to help explain when authority is required and what type is required for each operation. This document provides the inspector with an explanation of authority, flow charts to follow to determine what authority is required and when, and which Federal Out-of-Service orders apply to both interstate and intrastate operations. In addition to this document, Troop S is planning to conduct training on authority issues during FFY 2017.

Troop S policy has been revised recently to assist with our catch rate. The policy requires the inspector to check authority during every inspection and addresses what to do when the inspector does not have access to the internet. If it is during business hours they are requested to contact Troop S HQ by phone. If a supervisor is unavailable, every office administrative personnel have access to this information and can provide it over the phone. After hours, the inspectors are required to contact the local Troop HQ by radio or phone. Every dispatcher has the ability to determine a carrier's authority.

Troop S is also piloting a new inspection report system called "inSPECT" and is available through the CVEIW program that is provided by Iteris, a 3rd party vendor. CVIEW is a web based program that every inspector has been granted access to and has been available for several years. However, it was determined that many inspectors thought the system was no longer available. Upon looking into this further, the web address for CVIEW changed a couple of years ago and was not communicated to everyone. This has since been corrected by current Troop S leadership.

There are many benefits to using the CVIEW program. The CVIEW program provides one stop shop of information about the motor carrier such as authority status and type granted, insurance, Safety Measure System BASIC scores, past inspections, IFTA, IRP, UCR, ISS score and number of CMVs the carrier has. Troop S is encouraged by the ability to create an inspection report in the same program that can provide all of this information readily available. This would help to ensure that inspectors have all the information about a carrier, in real time, and assist the inspectors in discovering Out-of-Service motor carriers.

Troop S will begin piloting inSPECT prior to the start of FFY 2017. The decision to continue to use Aspen or select the inSPECT

program will be determined during first quarter of FFY 2017. If selected, inSPECT would require planning, training and implementation to be performed during FFY 2017.

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.

Troop S will ensure that all inspectors are checking the motor carrier's authority during every inspection. Every inspector will be provided a training guide explaining how to check authority, what & when authority is needed, and what actions to take when a carrier is under a Federal Out-of-Service order. Inspection activity will be monitored and tracked to ensure all Out-of-Service carriers are being discovered, properly cited and placed OOS during inspection.

5 - Hazardous Materials Transportation Safety

Instructions:

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

Check this box if:

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

Problem Statement Narrative: Describe problem identified by performance data.

Troop S is committed to FMCSAs energy enforcement and cargo tank operations national priority. The potential dangers of a HM load are much greater when there is a lack of knowledge of the federal and state requirements pertaining to proper placards, CDL endorsements, and safe transportation. One of the biggest industries in Oklahoma is the production of oil and natural gas. The price of oil and natural gas fluctuates with the market value of these products. As the price increases so does the need for motor carriers in support of the production sites and transportation of HM. When the need is high, new motor carriers increase in order to meet the demand with many, carriers and drivers, unaware of the requirements found in the FMCSRs and HMRs. The increase of new motor carriers and new drivers correlates to an increase in collisions involving CMVs transporting HM. When the market decreases, which is the current state, motor carriers are no longer needed and go out of business. Even when the market is low, production still goes on. The carriers who are trying to survive during the low market tend to cut corners to protect the bottom line. These cost cutting measures commonly include non-compliance with the FMCSRs and HMRs. These scenarios show the HM transportation problems Oklahoma faces and parallel to collisions involving CMVs transporting HM, past and present.

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

Our commitment to FMCSAs energy enforcement and cargo tank operations national priority will begin with creating a new HM Specialist position within Troop S. This position will be filled by a Trooper who is knowledgeable in all areas of HM to help address HM transportation issues and reduce collisions. The HM Specialist will be responsible for leading the HM Strike Team; plan, coordinate and execute HM special emphasis; identify HM problems specific to Oklahoma; issue HM updates / training bulletins to inspectors when changes occur or problems identified; train Troop S personnel on HM classes / topics specific to Oklahoma and NTC courses as needed; answer HM related questions from industry and Troop S personnel; and assist in planning and coordination with reducing CMV collisions involving HM.

Oklahoma will conduct enforcement activities in areas known to have high HM traffic. These activities may include roadside inspections, CMV enforcement, and/or education / outreach. In CY 2015, Oklahoma had 11 fatal collisions involving CMVs transporting HM, exceeding our goal of 9 and is up from 8 in CY 2014. One positive note is that CY 2015 shows a decrease in collisions involving CMVs transporting HM from CY 2014. In CY 2015 there were 193 collisions and in CY 2014 there were 287, a decrease of 94. While Oklahoma is proud of the reduction of overall collisions, the increase in fatal collisions indicates there is work to be done. Troop S is setting a 3 year goal to reduce fatal collisions involving CMVs transporting HM by 3. Collision numbers from CY 2015 will be the baseline for this goal. Our goal for the end of CY 2020 is 8 fatal collisions involving CMVs transporting HM.

The majority of full-time Troop S, CVTEP and TTEP CMV inspectors are certified to conduct General HM (non-bulk) and HM Cargo tank inspections. Troop S also has 1 Level 6 certified inspector.

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

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

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

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

Program Activities: Provide additional information regarding how these activities will be implemented.

Troop S will conduct at least 4 special emphases throughout FFY 2017 in identified counties where either HM problems have been identified or where fatal collisions of CMVs transporting HM have occurred.

Troop S will conduct at least 4 safety talks to industry and/or general public in reference to HM transportation issues and safety.

Troop S is considering using premium pay shifts to target issues involving CMVs transporting HM.

Compliance Investigations will be conducted on HM motor carriers when assigned by FMCSA.

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.

At least four special emphasis will be conducted in areas where either HM transportation problems have been identified or HazMat CMV-involved fatality collisions occurred. Outcomes will be measured by the number of inspections and violations found using SafetyNet data and collisions statistics using SAFE-T.

At least four safety talks on HM transportation issues and safety will be conducted, documented and reported.

6 - State-Identified Objective (Optional)

Instructions:

Describe any other identified State-specific objectives.

State Objective #1

Enter the title of your State-Identified Objective.

Traffic Enforcement

Problem Statement Narrative: Describe problem identified by performance data.

Oklahoma is committed to FMCSAs traffic enforcement national priority and agrees that driver behavior is the leading cause of all traffic collisions including those involving CMVs. Collisions involving CMVs are not always a result of the CMV driver behavior but non-CMV driver behavior as well. Some causation factors include hand-held cell phones, texting, inattention, speeding, unsafe lane changes, left of center, negligent driving and following too close.

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

The State intends to conduct traffic enforcement activities on CMVs and non-CMV when violations occur around a CMV. These activities will help Oklahoma achieve the collision reduction goal and educate drivers on how their behavior effects everyone around them.

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).

Uniformed personnel patrolling the highway are continuously observing driver behavior and taking enforcement action when violations of the law or regulations occur. Troop S will raise public awareness through motor carrier safety programs/safety talks. Troop S will utilize special emphasis and premium pay projects to enhance traffic enforcement activities and reduce collisions.

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.

Troop S will monitor the data from SafetyNet to track to the number of inspections which resulted from traffic enforcement. Supervisors will track the data on each inspection marked as "traffic enforcement" inspections include valid traffic enforcement violations. All CMV traffic enforcement activities will be documented when requesting reimbursement for those activities. Public education and awareness activities with CMV and non-CMV drivers about driver behavior issues will help bring awareness to all drivers and help reduce collisions.

State Objective #2

Enter the title of your State-Identified Objective.

MCSAP Program enhancements, education, training

Problem Statement Narrative: Describe problem identified by performance data.

Oklahoma's MCSAP program requires all stakeholders to be informed, trained and forward thinking. Federal and State laws, regulations, policies and requirements are constantly changing and evolving. It is imperative that Oklahoma have the opportunity to stay up to date with any current or future changes

as well as educating our own personnel, other agencies and other personnel as needed, requested or required.

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

Troop S has always had a Lieutenant who has been assigned to oversee Troop S training along with their other supervisory responsibilities. Troop S is taking a stronger approach to training, which began at the end of FFY 2016 and will continue in FFY 2017, by assigning a Lieutenant to oversee Troop S training on a full-time basis. This change was made in order to ensure everyone within Troop S is properly trained, up-to-date on all laws, rules, regulations and policies, and receives all the information to properly perform their duties within Troop S. Troop S is requesting the ability to continue to be able to provide and receive training, attend meetings and conferences that will help enhance our MCSAP program. These activities help enhance our program by several means. First, Troop S provides CMV related training to our own personnel, other agencies, organizations and enforcement personnel, not only in Oklahoma but across the US. Second, attending training and conferences help to educate our personnel and allows us the opportunity to share ideas and network with other agencies and individuals in order to help promote CMV safety, thereby reduce CMV collisions. Third, training, meetings and conferences can help to ensure that Oklahoma is doing what is necessary to comply with the grant requirements and prepare for future requirements.

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).

This is not a comprehensive list since some training, meetings, and conferences are not yet announced or even planned. Troop S requests consideration to send personnel to any training, meeting, or conference that is not listed below but would help enhance our MCSAP program during FFY 2017. The listed events include both in-state and out-of-state travel that may also require hotel and per diem. Troop S is anticipating conducting several training courses which includes, but not limited to the following: - North American Standard Part A and Part B inspection school - possibly 2 or more* - General Hazardous Material and/or Hazardous Material Cargo Tank (as needed)* - Electronic Logging Device course - as part of FMCSAs national priority* - Investigative Safety Analysis course- may be either in state or out-of-state* - CMV related courses to refresh and update Troop S personnel as well as providing LEO CEUs* - Intro to CMV and identifying the correct Motor Carrier course delivered to law enforcement personnel assist with data collection* - Drug Interdiction Assistance Program (DIAP) Troop S is anticipating sending personnel to the following FMCSA training: - FMCSA Grant Management Training - October 2016 Atlanta, GA - Off-Site Safety Audits training for all New Entrant Safety Investigators* - CSA Phase III training for all Compliance Investigators - as part of FMCSAs national priority* - FMCSA NTC Instructor Development - 3 or more Troopers to help teach FMCSA related courses to our own personnel as well as out-of-state as requested by NTC* - Any FMCSA training that is requested and/or required that may come up in FFY 2017* - FMCSA Southern Service Center New Entrant update training - November 2016 Jackson Mississippi - FMCSA Compliance Investigation update training* Troop S is anticipating sending personnel to the following meetings / conferences: - FMCSA Grant Planning Meeting* - CVSA conferences and the North American Inspector Championship* - COHMED Hazardous Material conference* The above listed events would help enhance our MCSAP program by providing training and information needed to comply with Federal regulations, policies and grant requirements. The meetings and conferences allow personnel to be active in MCSAP related activities and processes, provide input and network with other stakeholders. This further ensures that Oklahoma is on the forefront of any current or future changes and plays an active part in CMV safety and reducing CMV collisions. * indicated location and date(s) are "to be determined" The Training Lieutenant will work on developing two field training programs and an "on-boarding" process for the CVTEP and TTEP program. The first field training program will be

developed for new inspectors who are working on their initial certification. The second field training program will be developed for Troopers who are transferred into Troop S on a full time basis. The respective field training programs will help educate, train and develop each inspector ensuring they are knowledgeable and proficient. An "on-boarding" process or procedure will be developed for both the CVTEP and TTEP programs. This process would create a consistent and definitive path for selection into the appropriate program, requirements to remain in the program and consequences for not achieving the benchmarks within the program.

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.

This State-Identified Objective will be monitored as personnel attend these type of events and reported on the quarterly Performance Monitoring Report to FMCSA. This particular objective may not produce tangible results that can be measured, however, over time it will help to reduce CMV collisions through enhancing different aspects of the MCSAP program.

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.

Troop S maintains a strong statewide CMV driver/vehicle inspection program to keep unsafe CMVs and CMV drivers off of Oklahoma roadways. Oklahoma's traffic enforcement includes an aggressive inspection program incorporated into the main MCSAP effort and focusing on traffic enforcement and CMV driver behavior. This focus also extends to non-CMV driver behavior when around CMVs. Troop S utilizes Level 1 and Level 2 inspections as the top priority and Level 3 inspections utilized when appropriate. In the first 3 quarters of FFY 2016, Troop S has conducted 19,172 inspections with a goal of 22,450 inspections. Troop S is on track to exceed the FFY 2016 goal.

During FFY 2016, Troop S leadership changed the focus from conducting Level 3 inspections to conducting more Level 1 or Level 2 inspections. This has not changed our view of traffic enforcement but to focus on CMVs as well as the drivers. This decision was a result of auditing our own inspections and finding that many Level 3 inspections had no violations discovered. This raised a concern that too much emphasis was placed on the number of inspections and not causation or equipment violations. Troop S altered our priority to focus on quality inspections instead of quantity.

This view is reaffirmed with a look at the first 3 quarters of FFY2016. Troop S's goal is to increase the total number of inspections initiated by a traffic enforcement stop, helping to change driver behavior and thereby reducing the number of CMV involved collisions statewide. The 19,172 inspections conducted include 6,143 inspections resulting from traffic enforcement. This is approximately 32% of our inspections have resulted from traffic enforcement / driver behavior issues. While Level 3 inspections are way below expectations, Troop S is still targeting driver behavior issues.

All inspection personnel work to ultimately satisfy the Oklahoma and national goal of reducing CMV collisions and fatal collisions involving CMVs. Troop S personnel and/or assignments are located throughout Oklahoma in order to address CMV collisions. Troop S divides Oklahoma into five geographical sectors to ensure proper coverage of the state which includes both full time and part time (CVTEP & TTEP) personnel. The sectors and number of personnel assigned are as follows:

ROADSIDE INSPECTION PROGRAM

Northeast- 1 Lieutenant, 9 full time inspectors, 11 part time inspectors, and 1 fixed site Port of Entry inspector.
 Northwest- 1 Lieutenant, 8 full time inspectors, and 7 part time inspectors.
 Southwest- 1 Lieutenant, 7 full time inspectors, 2 part time inspectors and 1 fixed site Port of Entry inspector.
 Southeast- 1 Lieutenant, 9 full time inspectors, and 12 part time inspectors.
 Central- 1 Lieutenant, 7 full time inspectors, and 11 part time inspectors.

As of October 1, 2016, Troop S FTE was increased by 5 certified inspectors who transferred into Troop S from the CVTEP and TTEP programs.

Full time inspectors are assigned to a sector in which they reside but are allowed to travel to other areas that require attention. Part time inspectors are limited to the county and/or Troop they are assigned unless on a special emphasis such as Roadcheck. All

inspectors in the roadside inspection program, with the exception of the fixed site Port of Entry, conduct mobile enforcement and perform both inspection and traffic enforcement activities.

New Entrant Safety Audit Program
1 Trooper and 5 civilian Safety Auditors

Compliance Review / Investigation Program
5 Troopers

1 Lieutenant is assigned to both the New Entrant and Compliance Investigation Program. All personnel involved in these two programs are full time and required to maintain roadside inspection certifications. The Troopers perform mobile enforcement inspections and traffic enforcement activities when not involved with their primary audit or investigation duties. The civilian auditors conduct their required certification inspections at fixed site facilities since they do not have the authority to conduct law enforcement or mobile enforcement activities.

All other MCSAP Program activities
1 Captain acting as MCSAP Coordinator
1 Lieutenant acting as Training Officer
1 Lieutenant serving as MCSAP lead and FMCSA liaison

All three, in addition to their assigned duties, perform mobile enforcement conducting roadside inspections and traffic enforcement activities.

All personnel certified in roadside inspections, including those in the New Entrant and Compliance Review / Investigation Programs, participate in conducting education and outreach when needed. The number of personnel assigned to the MCSAP Program, either full time or part time, will fluctuate based on inspection certification training classes, inspectors maintaining their certification credentials and/or transfers. It should also be noted that recent Oklahoma Legislation passed requiring more inspectors at the Port of Entries. This will add to the number of personnel performing MCSAP related activities. At this time, it is unknown when this will take effect but is expected to occur sometime within the FFY 2017 performance period.

In FFY 2017, Oklahoma will conduct a total of 22,565 inspections with 20,000 of those inspections conducted by FTEs.

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: OKLAHOMA DEPT. OF PUBLIC SAFETY

Enter the total number of certified officers in the Lead agency: 100

FY 2017 Driver/Vehicle Inspection Goals					
	Estimated Performance Goal				
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1	6600	400	0	7000	31.02%
Level 2	12000	1000	0	13000	57.61%
Level 3	2500		5	2505	11.10%
Level 4				0	0.00%
Level 5			60	60	0.27%
Level 6				0	0.00%
Sub-Total Lead Agency	21100	1400	65	22565	

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: OKLAHOMA DEPT. OF PUBLIC SAFETY					
# certified officers: 100					
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	6600	400	0	7000	31.02%
Level 2	12000	1000	0	13000	57.61%
Level 3	2500		5	2505	11.10%
Level 4				0	0.00%
Level 5			60	60	0.27%
Level 6				0	0.00%
Total ALL Agencies	21100	1400	65	22565	

If the goal for level 3 inspections is less than 33%, briefly explain why the 33% will not be met:

During FFY 2016, Troop S leadership changed the focus from conducting Level 3 inspections to conducting more Level 1 or Level 2 inspections. This has not changed our view of traffic enforcement but to focus on CMVs as well as the drivers. This decision was a result of auditing our own inspections and finding that many Level 3 inspections had no violations discovered. This raised a concern that too much emphasis was placed on the number of inspections and not causation or equipment violations. Troop S altered our priority to focus on quality inspections instead of quantity. In the first 3 quarters of FFY 2016, 32% of all inspections conducted by Troop S were the result of traffic enforcement.

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.

Troop S focuses on CMV traffic enforcement and inspections in order to reduce collisions involving CMVs. Our MCSAP activities includes the CVTEP and TTEP programs consisting of part time Troopers focusing on enforcement of CMV driver behavior and non-CMV traffic violations. In order to maintain an aggressive traffic enforcement program the full time MCSAP Troopers are required to have 200 inspections based on either traffic enforcement or size and weight violations. The TTEP program Troopers, after their initial 32 inspections for certification, must have a probable cause traffic violation before conducting a roadside inspection.

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	5640
<input checked="" type="radio"/>	<input type="radio"/>	CMV without Inspection	10000
<input type="radio"/>	<input checked="" type="radio"/>	Non-CMV	0
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	300

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.

Components of the traffic enforcement efforts are already explained in detail. Troop S will monitor traffic enforcement activity of special emphasis, premium pay projects and everyday inspections through SafetyNet (inspection system) and PARIS (OHP enforcement program). CMV contacts without inspections are obtained through the PARIS contact system utilized by all OHP Troopers for reporting purposes. All OHP Troopers conduct non-CMV traffic enforcement activities but at the present time the OHP does not have a mechanism to document non-CMV traffic enforcement activities around or near CMVs. This information will be monitored and tracked in the quarterly Performance Monitoring Reports. FTEs will account for 5000 of the 5640 inspections related to traffic enforcement inspections.

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

During CY 2015, Troop S had 1 Lieutenant and 2 Troopers assigned to conduct Compliance Investigations. The Lieutenant conducted 6 investigations and the Troopers conducted 42 investigations for a total of 48 investigations completed. The Oklahoma Division of FMCSA assigns, reviews and approves all interstate Compliance Investigations to Troop S personnel. Interstate investigations are assigned to Troop S personnel in response to non-frivolous complaints, certain severe collisions (i.e., fatality or extended road closure), hazardous material incidents, or based on FMCSA prioritization lists in accordance with FMCSA Policy regarding Interstate Compliance Investigations. Oklahoma is in the process of starting an intrastate compliance investigation program with the anticipation of conducting several during FFY 2017. Troop S will use the same determining factors for assigning intrastate compliance investigations that are used by FMCSA when assigning investigations. Implementing the intrastate compliance investigation program may require additional personnel and training. Troop S is considering cross training some of the New Entrant Safety Investigators and/or some of the roadside inspectors in order to implement the intrastate compliance investigation program. New Entrant Safety Investigators would be used for intrastate investigations when needed and available. For FFY 2017, the projected goal for Compliance Investigations is 92 including both interstate and intrastate investigations plus 3 HM Security Contact Reports. Troop S has recently added 3 Troopers to this program and currently in field training learning the program. Once they are certified and cleared to be on their own, Troop S will have 1 Lieutenant, 4 full time Compliance Investigators, and 1 Compliance Investigator dedicated to HM carriers who also serves as the HM Specialist assisting in all HM related matters. All Compliance Investigators are required to travel to outlying areas and are authorized departmentally for approved lodging and per diem.

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.

Troop S will conduct compliance investigations on interstate carriers assigned by FMCSA and intrastate carriers assigned by Troop S per FMCSA assignment policy and guidelines. Compliance Investigations will include non-HM carriers, HM carriers and passenger carriers. **The proposed numbers are based on the fact that three of the four FTE's are in training and are currently assigned to work with a certified investigator. One part-time investigator is Level VI certified, a Hazardous Material Instructor, and responsible for the Hazardous Material Program within Troop S. The FTE's will also be involved in cross training some of the New Entrant Auditors to perform Compliance Investigations. In addition all FTEs assigned to conduct carrier investigations are certified Troopers / law enforcement officers. This requires them to maintain law enforcement certification by attending required law enforcement training, any FMCSA required training, vacations, or any other unforeseen instances that occur throughout the year.**

When assigned by FMCSA or Troop S, Compliance Investigations will be conducted on carriers involved in fatality collisions in which the CMV driver/motor carrier is determined to be culpable or where any of the seven CSA Behavioral Analysis and Safety Improvement Categories (BASICS) were contributing factors: Unsafe Driving, Fatigued Driving (Hours-of-Service), Driver Fitness, Crash History, Vehicle Maintenance, Improper Loading/Cargo Securement, and Controlled Substances/Alcohol. Compliance Investigations will be conducted on carriers as a result of a non-frivolous complaints made against them and in accordance with FMCSA or Troop S policy.

Troop S is considering cross training some of the New Entrant Safety Auditors and/or some of the roadside inspectors in order to enhance our interstate compliance investigation program and implement an intrastate compliance investigation program. Cross training would require those entering the program to attend FMCSA NTC Investigative Safety Analysis training, possibly out of state, then participate in in-field training by a current compliance investigator in order to obtain certification. Due to the number of New Entrant Safety Auditors that Oklahoma would need to be trained, Troop S is evaluating becoming a host state for this course.

Troop S is committed to FMCSA's CSA phase III national priority. All personnel assigned to the Compliance Investigation program will continue to participate in CSA training when offered by FMCSA. This training may include webinars, conference calls, and in-person training which may be conducted out of state. Troop S will also participate in any training, meetings or conferences hosted by FMCSA which may benefit the Compliance Investigation program when requested, allowed or required.

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).

Activities will be measured by the number of investigations conducted. For FFY 2017, the target is 95 Compliance Investigations. These investigations are tracked through MCMIS and will be reported quarterly.

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

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

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

FY 2017 Carrier Investigation Goals		
Review/Investigation Type	Interstate Goals	Intrastate Goals
Rated and Non-rated Reviews (Excludes CSA & SCRs)		
Non-HM Cargo		10
Passenger		
HM		
Rated and Non-rated Reviews (Excludes CSA & SCRs) Total	0	10
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	58	
Passenger CSA On-Site Focused		
HM CSA On-Site Focused	4	
CSA On-Site Focused Investigations Sub-total	62	0
CSA On-Site Comprehensive		
Non-HM Cargo CSA On-Site Comprehensive	20	
Passenger CSA On-Site Comprehensive		
HM CSA On-Site Comprehensive		
CSA On-Site Comprehensive Sub-total	20	0
CSA Investigations (all Types) Total	82	0
HM-Related Review Types		
Security Contact Reviews (SCRs)	3	
Cargo Tank Facility Reviews		
Shipper Reviews		
HM-Related Review Types Total	3	0
ALL REVIEW TYPES GRAND TOTAL	85	10

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

Effective July 15, 2011, Oklahoma adopted into administrative rule 49 CFR Parts 385 and 386. However, at this time, Oklahoma has not adopted the Uniform Fine Assessment program that is used by FMCSA. Oklahoma statute provides a fine structure that is much less than UFA. Troop S has partnered with the DPS Legal Division and Legislative liaison to encourage a proposed law change allowing

the use of the UFA program when issuing civil assessments for violations discovered during intrastate investigations. So far, these attempts have not been successful. Troop S intends to move forward with conducting intrastate compliance investigations during FFY 2017 and will continue to work with DPS Legal and the Legislative liaison towards amending state law.

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.:

The State strives to educate the public, industry, and law enforcement agencies regarding CMV safety issues. Troop S will raise awareness through presentations requested by CMV organizations or associations, civic organizations, schools, and the general public on issues pertaining to CMV and driver-behavior safety topics. Educational talks and presentations are also provided to companies for a better understanding of the CSA Program, FMCSRs, or roadside inspection procedures and Troop S is available to answer any questions they may have during talks and presentations. The outreach programs that Troop S has conducted in the past have been well received and productive.

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	50
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	5
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	2
<input type="radio"/>	<input checked="" type="radio"/>	State-sponsored outreach events	0
<input checked="" type="radio"/>	<input type="radio"/>	Local educational safety events	2
<input checked="" type="radio"/>	<input type="radio"/>	Teen safety events	2

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

Troop S will address civic groups and industry concerning traffic safety issues. In addition, Troop S will be managing an Oklahoma CMV safety website to further the public education and outreach capabilities. Troop S will conduct 50 carrier safety talks with the intent of capturing larger audiences/multi-company talks, non-CMV driving schools, etc.

Troop S launched a new website that provides information to the CMV industry and the general public in regards to CMV requirements. This website provides assistance to users in order to help explain and understand the FMCSRs and Oklahoma laws pertaining to motor carriers and CMVs. The website also allows users to request a safety talk, report a CMV related complaint and provide links to CMV related websites such as FMCSA and the Oklahoma Corporation Commission.

Troop S works with various CMV organizations in Oklahoma such as the Oklahoma Trucking Association and Oklahoma Safety Management Council in order to build partnerships that play a role in reducing CMV related collisions. These partnerships allow Troop S access to providing information and education to a wider range of motor carriers and drivers.

All FTEs will participate in education and outreach activities throughout the performance period. These activities are assigned based on expertise and location of the outreach event.

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

The performance will be measured by the number of outreach programs addressing traffic safety (CMV and non-CMV) issues conducted by Troop S Troopers. Activities will be measured by the number of talks conducted and the number of attendees. The number of talks will be provided quarterly in a report to FMCSA.

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:

Oklahoma 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.

Troop S will reduce the number and severity of collisions, injuries, and fatalities involving CMVs by conducting New Entrant Safety Audits on all interstate motor carriers identified by FMCSA as a New Entrant motor carrier based within the State of Oklahoma. Troop S will continue to take a proactive approach to CMV safety and the safety of the general public by ensuring interstate motor carriers have correct and appropriate safety management programs in place.

Troop S will contact every New Entrant motor carrier within 12 months of their entry into the New Entrant Program or within 120 days if they are a motor carrier of passengers. This contact will determine if a Safety Audit or non-Safety Audit resolution is required. If the motor carrier qualifies for a Safety Audit it will be conducted within the above required time frame. If they do not qualify for a Safety Audit, Troop S will initiate a non-Safety Audit resolution and remove the motor carrier from the New Entrant Program. Non-Safety Audit resolutions will consist of: inactivating the USDOT if the motor carrier is out of business or mistakenly applied for a USDOT number, change their operating status to intrastate if the motor carrier does not perform interstate operations, remove the motor carrier if they have gone through a comprehensive Compliance Review prior to a Safety Audit, the motor carrier is exempt based on meeting Map-21 requirements, the motor carrier refuses to comply with the Safety Audit process, or Troop S is unable to contact the motor carrier after at least 3 attempts.

The motor carriers who qualify for a Safety Audit will undergo the Safety Audit within the property carrier's first 12 months of operation or within 120 days if they are a motor carrier of passengers. This provides Troop S the opportunity to review the motor carrier operations before they are involved in a serious or fatal collision. Troop S works with the Oklahoma Division of FMCSA in looking for possible reincarnated motor carriers trying to recreate a new motor carrier in order to avoid previous related adverse safety scores or safety ratings. The Safety Investigators have been trained by the Oklahoma Division of FMCSA in the discovery of a reincarnated motor carrier or a possible reincarnated motor carrier. The Safety Investigators look for problematic drivers who are employed with the new motor

carriers and have a history of unsafe driving or non-compliance to the FMCSRs.

During the Safety Audit, if problems are found, the Safety Investigators will provide appropriate education and guidance to the motor carrier in regards to their problem areas. This education and guidance consists of the Federal Motor Carrier Safety Regulations (FMCSRs) requirements and recommendations on how to establish effective safety management practices and programs. Those carriers who fail the Safety Audits will be instructed on and provided the steps to submit their required corrective action plans to FMCSA within the allotted time period.

Prior to the FAST ACT, Troop S was solely responsible for the New Entrant Program within the State of Oklahoma. Troop S currently utilizes State Troopers and DPS civilian Safety Investigators who are experienced and certified as New Entrant Safety Investigators. At this time, Oklahoma does not have an intrastate safety audit program with no foreseeable plans to create one during this performance period. Since Troop S is already responsible for the New Entrant Program and Oklahoma does not have an intrastate safety audit program, there are no challenges to the successful completion of this objective.

All New Entrant personnel attend quarterly meetings with our FMCSA partners at various locations throughout Oklahoma. These quarterly meetings are paramount to the success of our Program. The quarterly meetings allows the Safety Investigators the opportunity to discuss any changes to the FMCSRs, new FMCSA memorandums or regulation guidance, computer updates to Safety Audit computer programs and to ensure the most current versions of Safety Audit software is being used, and any other issues related to the Program that may arise throughout the quarter. These meetings help ensure the integrity of the Program by allowing every Safety Investigator to be aware of any and all changes that may have occurred and ensure that all Safety Investigators are answering / interpreting the Safety Audit questions the same way.

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.

As of July 1, 2016, all Safety Audits that are conducted by Troop S are all completed on-site at the motor carrier's principle place of business (PPOB) unless extenuating circumstances exists requiring the Safety Audit to occur at another location. Troop S has not yet received off-site Safety Audit training and it is unknown when Troop S will receive that training. Troop S first attempts to contact all interstate New Entrant motor carriers by phone in order to establish if the motor carrier is eligible for a Safety Audit or the carrier needs to have a non-Safety Audit resolution. If the carrier is unable to be reached by phone, the attempts are made by any available means such as email, fax, US Mail or in-person. If after three attempts are made and the carrier still cannot be reached, the Safety Investigator enters the 3 attempts into the MCMIS system and initiates the New Entrant revocation / out-of-service process. If the New Entrant motor carrier is contacted, the Safety Investigator sets the Safety Audit appointment with the New Entrant motor carrier.

Troop S Safety Investigators are located throughout Oklahoma and assigned motor carriers by the geographical location of the motor carrier. Troop S does not have a Safety Investigator located in Northwest Oklahoma or the Oklahoma Panhandle. In order to conduct Safety Audits on motor carriers located in this geographical area, Troop S utilizes group audits or saturation audits. Saturation audits are special emphasis in which the Safety Investigators saturate a geographical area at the same time, conducting Safety Audits on all motor carriers in that area. Group and saturation audits usually occur twice a year.

All personnel assigned to the New Entrant Program will continue to meet as a group on a quarterly basis as discussed in the above strategy plan. During this performance period Troop S anticipates and requests the following opportunities: attending off-site Safety Audit training with dates and location to be determined, attending FMCSA Southern Service Center's Safety Audit update in Mississippi in November, travel throughout Oklahoma with some instances requiring per diem and overnight accommodations in order to complete assigned Safety Audits, and FMCSA, from time to time, has requested or required participants in the Program attend meetings and / or training within and outside of Oklahoma.

During FFY 2017, Troop S is considering sending some or all New Entrant Safety Investigators to the Investigative Safety Analysis course offered by FMCSA NTC. This training would enhance the program several ways. First it would allow the Safety Investigators to have in-depth knowledge of the Compliance Investigation procedures allowing the Safety Investigators to look beyond just answering the audit questions. Having this training would assist the safety assessment of the motor carrier and ensuring the motor carrier is not a reincarnated motor carrier. Second, from time to time, New Entrant motor carriers appear on FMCSA's "High Priority" or "Mandatory" investigation lists before the Safety Audit has occurred. When this occurs the carrier is removed from the Safety Investigators assignment list and assigned to a Compliance Investigator. After having this training, the Safety Investigator would be able to conduct the Compliance Investigation and remove the motor carrier from the New Entrant inventory list without having to move assignments around.

In the past, personnel assigned to the New Entrant Program were 100% dedicated to conducting New Entrant activities. New Entrant personnel will continue to devote their time and efforts to the success of the program but will also be used in other aspects when needed and not detrimental to the New Entrant Program. It is imperative to the success of the MCSAP Program and our crash reduction goals to utilize our personnel in an effective and efficient manner. Our personnel assigned to the New Entrant Program are highly trained and knowledgeable in Federal and State laws, regulations and requirements regarding commercial motor carriers and vehicles. Troop S intends to use the New Entrant Safety Investigators to assist in training, education & outreach activities, Compliance Investigations, CMV inspections, and any other assignment(s) that will benefit the MCSAP Program.

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.

Troop S will have 1 Lieutenant who will supervise the New Entrant personnel and oversee the Programs efficiency and timeliness. The New Entrant Program utilizes 1 State Trooper and 5 DPS civilian Safety Investigators to conduct Safety Audits, with 1 of those 6 serving as an assistant administrator. All personnel conducting Safety Audits are certified as per 49 CFR 385.201 or 385.203. New Entrant personnel are also required to maintain CVSA NAS roadside inspection Level 1 and Level 1 or 2 HM cargo tank certifications. New Entrant personnel are primarily focused on conducting New Entrant Safety Audits or clearing the New Entrant inventory list based on non-Safety Audit resolutions.

The assistant administrator will be responsible for ensuring: all the Safety Investigators assignment lists are full, all completed Safety Audits are successfully uploaded into the MCMIS system and removed from the inventory list, non-Safety Audit resolutions are successfully entered into the MCMIS system and removed from the inventory list, motor carriers on the 90 day list are all assigned and scheduled, motor carriers on the 30 day list do not get on the "rotten" list, and no motor carriers appear on the "rotten" list.

In SFY 2016 (July 1, 2015 to June 30, 2016), a total of 711 new interstate motor carriers entered the New Entrant Program in Oklahoma. In the second half of SFY 2016, Oklahoma averaged 67 new interstate motor carriers entering the New Entrant Program, indicating that Oklahoma is trending up in new interstate motor carriers. Oklahoma is an oil and gas producing state and this industry is presently on a downward trend. Oklahoma is anticipating this trend to turnaround in the future creating an additional increase in new interstate motor carriers based in Oklahoma to support this industry.

As previously mentioned not all new interstate motor carriers will require a Safety Audit. There are many reasons why this happens which includes but not limited to: the carrier never starting operations, the carrier is no longer in business, Troop S is unable to contact

the motor carrier, a carrier classifying themselves as an interstate carrier when they are actually intrastate, or the carrier is a farm operation exempt from the Safety Audit under MAP-21. If a Safety Investigator contacts a motor carrier that is still showing "active" but is claiming to be out of business or a MAP-21 exemption, the Safety Investigator checks the carrier's profile for activity before allowing a non-Safety Audit resolution. If the carrier that is claiming to be out of business has recorded activity such as an interstate trip or interstate crash or a farmer has activity outside of 150 miles the Safety Investigator will attempt to schedule the Safety Audit appointment. Troop S initiated this policy due to motor carriers coming in and out of the Program in an attempt to avoid the Safety Audit. If the motor carrier refuses the Safety Audit, the Safety Investigator will submit that information to FMCSA and begin the revocation process. This policy has been successful in slowing down carriers who are avoiding the Safety Audit or claiming an exemption that does not apply to their operation.

It is impossible for Troop S to determine how many Safety Audits they will conduct due to the above factors. It is also impossible, and beyond Troop S control, to determine the number of new interstate motor carriers entering the program in any given month or year. However, there are several tangible benchmarks that can be determined by Troop S in regards to the New Entrant activities. All 7 assigned to the New Entrant Program will conduct at least 240 NAS Level 1 inspections (32 per person) and 56 NAS Level 1 or 2 HM Cargo Tank inspections (8 per person) to maintain their CVSA NAS certifications. The New Entrant personnel will conduct a minimum of 700 Safety Audits or non-Safety Audit resolutions during this performance period, averaging 175 per quarter. This number is based on the number of New Entrant interstate motor carriers entered the Program in Oklahoma during SFY 2016. It should be noted this number is the minimum level of anticipated activity based on a fluctuating number of carriers entering the New Entrant Program each month. During FFY 2015, Troop S conducted 605 Safety Audits and 656 non-Safety Audit resolutions for a total of 1261 motor carriers serviced by Troop S. In the first 2 quarters of FFY 2016, Troop S conducted 290 Safety Audits and 254 non-Safety Audit resolutions for a half year total of 544 motor carriers serviced by Troop S.

The Lieutenant will be responsible for supervision activities involving the New Entrant Program, ensuring the Program is running efficiently and may or may not conduct Safety Audits. The Safety Investigator assigned as the assistant administrator will be responsible for assigning New Entrant interstate motor carriers to the appropriate Safety Investigator, monitoring uploaded Safety Audits to ensure they are correctly uploaded into the MCMIS system and removed from the inventory list, enter into MCMIS (or if done by the Safety Investigator) and ensure all non-Safety Audit resolutions are entered correctly and the motor carrier is removed from the inventory list, monitoring the "rotten", 30 day and 90 day lists to ensure all New Entrant interstate motor carriers are removed from the inventory list within the prescribed time and do not appear on the "rotten" list, answer questions from Safety Investigators, New Entrant motor carriers and industry in regards to the New Entrant Program, and conduct Safety Audits. The State Trooper and DPS civilian Safety Investigators will, or at least attempt to, contact the New Entrant interstate motor carrier in their assignment list. The Safety Investigators will determine if a Safety Audit or non-Safety Audit resolution is required. Once that determination is made the Safety Investigator will take the appropriate action to remove the motor carrier from the inventory list.

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)	500	0
# of Safety Audits (Offsite)	0	0
TOTAL Safety Audits	500	0
# of Non-Audit Resolutions	200	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): \$975,012.00

Personnel Spending Plan Narrative								
Salary Information								
Position(s)	# of Staff	% of Time	Work Year Hours	Hourly Rate	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Administrative Programs Officer II	1	100	1	\$60,000.00	\$60,000.00	\$51,000.00	\$9,000.00	\$0.00
Administrative Programs Officer I	1	100	1	\$42,000.00	\$42,000.00	\$35,700.00	\$6,300.00	\$0.00
Administrative Assistant II	2	100	1	\$39,000.00	\$78,000.00	\$66,300.00	\$11,700.00	\$0.00
Administrative Assistant I	1	100	1	\$34,000.00	\$34,000.00	\$28,900.00	\$5,100.00	\$0.00
POE Civilian CMV Inspectors	2	100	2080		\$0.00	\$0.00	\$0.00	\$85,000.00
CVTEP	17		2080		\$0.00	\$0.00	\$0.00	\$132,000.00
TTEP	31		2080		\$0.00	\$0.00	\$0.00	\$113,160.00
Turnpike Trooper	3		2080		\$0.00	\$0.00	\$0.00	\$158,000.00
Captain	1	100	1	\$87,000.00	\$87,000.00	\$73,950.00	\$13,050.00	\$0.00
Lieutenant	7	100	1	\$75,500.00	\$528,500.00	\$449,225.00	\$79,275.00	\$0.00
Trooper	43	100	1	\$57,954.54	\$2,492,045.22	\$2,118,238.64	\$373,806.82	\$0.00
MCSAP Attorney	1	100	1	\$48,000.00	\$48,000.00	\$40,800.00	\$7,200.00	\$0.00
MCSAP IT Technician	1	100	1	\$42,000.00	\$42,000.00	\$35,700.00	\$6,300.00	\$0.00
Sub-Total Salary					\$3,411,545.22	\$2,899,813.64	\$511,731.82	\$488,160.00
Overtime Information								
Overtime	1	100	1	\$193,747.00	\$193,747.00	\$164,684.95	\$29,062.05	\$0.00
Sub-Total Overtime					\$193,747.00	\$164,684.95	\$29,062.05	\$0.00
TOTAL PERSONNEL					\$3,605,292.22	\$3,064,498.59	\$540,793.87	\$488,160.00

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

For Troop S will budget for 51 MCSAP Troopers that conduct MCSAP eligible activities. The 51 MCSAP Troopers will consist of 1 Captain, 7 Lieutenants (Supervisors), and 43 roadside Troopers.

The 51 MCSAP Trooper's salary figures were based on actual pay and they will be billed according to their MCSAP level of effort.

Administrative Programs Officer II (APO II) - This position provides full financial oversight of the grant. This person monitors spending, submits the quarterly Federal Financial Reports and vouchers, creates the MCSAP budget, processes travel claims, creates Purchase Orders/bids/sole sources, audits internal purchasing procedures for accuracy and maintains/creates methods for financial tracking and oversight. This person is responsible for the human resources duties with respect to hiring civilian staff which includes position requisitions and interview process. This person serves on the Traffic Records Council Committee, participates in the Commercial Vehicle Safety Alliance, and attends any grant related training. This position is designated as the Alternate Organizational Coordinator for the agency's FMCSA portal account.

Administrative Programs Officer I (APO I)- This position is responsible for assigning and issuing civil penalties for any Out-of-Service violations discovered on a roadside inspection. This includes mailing the notice of claim letters to motor carriers, collecting the fines, and reconciling any records for stacking or multiple offender motor carriers. This person also maintains the division's travel credit card to make any hotel or flight arrangements for necessary travel. This position is designated as the Organizational Coordinator for the agency's FMCSA portal.

Administrative Assistant II (AAIL)- This position is responsible for the data collection side of enforcement. This entails importing and uploading roadside inspections and commercial vehicle collisions daily, inputting any handwritten roadside inspections, monitoring and maintaining crash reporting accuracy, addressing any DataQ challenges, creates workload reports for leadership and data analysis purposes, and revising records as necessary. This person is responsible for providing any training to staff on the use of SafetyNet and organizing the workload for premium pay shifts for civilian staff.

Administrative Assistant II (AAIL)- This position will serve as a partner in various areas of administrative support in the office. This may include assisting the MCSAP attorney with hearing scheduling and mailing out hearing notices, work with the APO I in mailing out notice of claim letters, work with the APO II and MCSAP IT Tech on maintaining the Troop S webpage and assist the AAIL with the SafetyNet workload. This person will be responsible for entering the premium pay payroll change forms.

Administrative Assistant I (AAI) - This position is tasked with managing the MCSAP time and effort entry for the entire Troop. This person monitors time and leave and provides assistance to the APO II with recording eligible MCSAP time. This person is responsible for managing all Human Resources record files.

MCSAP IT Technician - This position provides full technical support to all MCSAP staff. This position is responsible for maintaining the Troop S webpage. This person is responsible for Troop S modernization with respect to technology and improving operations.

Troop S will conduct premium pay shifts for FFY 2017. The premium pay shifts are offered to all full-time Troop S personnel and POE inspectors. Money is dedicated to special shifts in order to focus enforcement on problem areas in the state and/or specific activities to target issues. Troop S has assigned a Lieutenant to oversee the premium pay shifts so he will organize the efforts each month and identify what the emphasis is. These emphasis may include non-CMV traffic enforcement, HM activities, fatigued CMV driver (night shift), safety talks, and so on. All activities are measured by a unique timesheet and an accountability worksheet for each shift submitted. To support the full-time Troopers the administrative staff will be offered premium pay shifts to keep up with the increased volume of work.

The MCSAP Attorney performs numerous duties under the MCSAP grant including conducting administrative hearings, subject matter expert on state and federal regulations interpretation as pertains to commercial vehicles, prepares memorandums of understanding, partners with DPS legal division and legislative liaison to introduce/support/oppose new legislation with reference to commercial vehicle laws, and more as assigned by the Troop S Captain.

MOE Expenses

POE Civilian CMV Inspectors = \$85,000 Currently there are 2 employees staffed at 2 of the 4 ports in Oklahoma. These inspectors perform MCSAP eligible activities.

CVTEP = \$132,000 The Troopers in this program perform MCSAP eligible activities on a part time basis for which is charged towards to MOE.

TTEP = \$113,160 The Troopers in this program perform MCSAP eligible activities on a part time basis for which is charged towards to MOE.

Turnpike = \$158,000 There are 3 full-time Troopers assigned to turnpikes in the state. Their time is charged to the MOE.

2 - Spending Plan: Fringe Benefits

Fringe costs are benefits paid to your employees, including the cost of employer's share of FICA, health insurance, worker's compensation, and paid leave. Only non-federal grantees that have an accrual basis of accounting may have a separate line item for leave, which will be entered as the projected leave expected to be accrued by the personnel listed within Narrative Section 1 – Personnel. Reference 2 CFR 200.431(b) for the proper management of leave expenditures. Include how the fringe benefit amount is calculated (i.e., actual fringe benefits, rate approved by HHS State Wide Cost Allocation or cognizant agency). Include a description of the specific benefits that are charged to a project and the benefit percentage or total benefit cost.

The costs of fringe benefits are allowable if they are provided under established written leave policies; the costs are equitably allocated to all related activities, including Federal awards; and, the accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the non-Federal entity or specified grouping of employees. Depending on the state, there are set employer taxes that are paid as a percentage of the salary, such as Social Security, Federal Unemployment Tax Assessment, Medicare, State Unemployment Tax, and State Disability Insurance. For each of these standard employer taxes, under Position you may list "All Positions"; the benefits would be the respective standard employer taxes, followed by the respective rate with a base being the total salaries for Personnel in Narrative Section 1 and the base multiplied by the respective rate would give the total for each standard employer taxes. Workers' Compensation is rated by risk area. It would be permissible to enter this as an average, usually between sworn and unsworn, but any grouping that is reasonable and clearly explained in the narrative is allowable. Health Insurance and Pensions can vary greatly and it too can be averaged and like Workers' Compensation, can sometimes be broken into sworn and unsworn.

Fringe Benefits Spending Plan Narrative						
Position(s)	Fringe Benefit Rate	Base Amount	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Administrative Programs Officer II	100	\$37,000.00	\$37,000.00	\$31,450.00	\$5,550.00	\$0.00
Administrative Programs Officer I	100	\$35,000.00	\$35,000.00	\$29,750.00	\$5,250.00	\$0.00
Administrative Assistant II	100	\$47,000.00	\$47,000.00	\$39,950.00	\$7,050.00	\$0.00
Administrative Assistant I	100	\$17,000.00	\$17,000.00	\$14,450.00	\$2,550.00	\$0.00
POE Civilian CMV Inspectors			\$0.00	\$0.00	\$0.00	\$90,000.00
CVTEP			\$0.00	\$0.00	\$0.00	\$49,175.00
TTEP			\$0.00	\$0.00	\$0.00	\$42,150.00
Turnpike Trooper			\$0.00	\$0.00	\$0.00	\$65,000.00
Captain	100	\$29,000.00	\$29,000.00	\$24,650.00	\$4,350.00	\$0.00
Lieutenant	100	\$218,750.00	\$218,750.00	\$185,937.50	\$32,812.50	\$0.00
Trooper	100	\$952,840.91	\$952,840.91	\$809,914.77	\$142,926.14	\$0.00
MCSAP Attorney	100	\$28,000.00	\$28,000.00	\$23,800.00	\$4,200.00	\$0.00
MCSAP IT Technician	100	\$32,000.00	\$32,000.00	\$27,200.00	\$4,800.00	\$0.00
Sub-Total Fringe Benefits			\$1,396,590.91	\$1,187,102.27	\$209,488.64	\$246,325.00

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

The State provides fringe benefits for all MCSAP / DPS employees. The benefit is calculated by taking the monthly cost and multiplying those costs by twelve to get the annual figure. The State provides benefits that includes state insurance, FICA, retirement, unemployment, annuities, and workman's comp.

MOE Expenses

POE Civilian CMV Inspectors = \$90,000 Currently there are 2 employees staffed at 2 of the 4 ports in Oklahoma. These inspectors perform MCSAP eligible activities.

CVTEP = \$49,175 The he Troopers in this program perform MCSAP eligible activities on a part time basis for which is charged towards to MOE.

TTEP = \$42,150 The Troopers in this program perform MCSAP eligible activities on a part time basis for which is charged towards to MOE.

Turnpike = \$65,000 There are 3 full-time Troopers assigned to turnpikes in the state. Their time is charged to the MOE.

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
Program Travel	55	99	\$75,250.00	\$63,962.50	\$11,287.50	\$0.00
Sub-Total Travel			\$75,250.00	\$63,962.50	\$11,287.50	\$0.00

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

Troop S conducts Compliance Reviews (CRs) for motor carriers that include property, passenger, and hazardous material carriers. CRs are conducted on identified high-risk carriers. Currently Troop S has 6 Troopers that are certified to conduct CRs which requires travel across the state, some of which are overnight resulting in lodging and per diem reimbursement. The cost will be approximately \$10,000 for FFY 17.

Troop S is dedicated to ensuring that all MCSAP Troopers are knowledgeable with regulation changes, staying in contact and communicating with other MCSAP state agencies, and apply changes as they occur. Troop S attends various conferences through Commercial Vehicle Safety Alliance (CVSA). CVSA promotes commercial motor vehicle safety and security by providing leadership to enforcement, industry, and policy makers. The cost budgeted for FFY 17 is \$5,000 for two individuals to attend COHMED, \$7,500 for seven individuals to attend the CVSA Spring conference, and \$7,500 for seven individuals to attend the CVSA fall conference. The attendees are highly encouraged to participate as voting members, or at the very least actively participate in the following committees: Information Systems, Program Initiatives, Hazardous Materials, Training Committee, and Vehicle Committee. Three individuals (one participant and two judges) are budgeted to attend the North America Inspector Challenge (NAIC) with an estimated cost of \$5,000. Four individuals have been budgeted for Federal Planning Meeting provided by FMCSA in the spring with an estimated cost of \$2,750. Conferences are out of state and require airfare, hotel, and per diem for each individual traveling.

Troop S participates in the annual National Roadcheck Week the first week of June. This special project requires a large percent of our full time Troop S Troopers as well as Troopers in our CVTEP and TTEP program to travel to a designated Roadcheck Checkpoint within the state and results in per diem and lodging expenses for the Troopers who participate. The budgeted amount for this project is \$12,000.

Compliance Review Troopers are required to attend a quarterly CR meeting with the supervising Lieutenant and New Entrant staff. This provides an opportunity for training, updates, best practice methods and address any issues. These meetings required per diem and lodging which is estimated at \$12,500.

FMCSA is hosting a grant management training and Troop S has arranged for four people to attend with an estimated cost of \$7,000 to cover travel, lodging and per diem expenses.

In order to allow for unforeseen travel that may requested by FMCSA there is a budget of \$6,000 to cover necessary travel, lodging and per diem expenses.

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
Vehicles	10	\$16,000.00	\$160,000.00	\$136,000.00	\$24,000.00	\$160,000.00
Training A/V Equipment	1		\$0.00	\$0.00	\$0.00	\$20,000.00
800mhz Radios	10		\$0.00	\$0.00	\$0.00	\$57,500.00
Sub-Total Equipment			\$160,000.00	\$136,000.00	\$24,000.00	\$237,500.00

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

Troop S is budgeting 10 new vehicles this fiscal year. Actual cost of vehicles is \$32,000 each but the cost notated above (50% of the cost of the vehicle) is what will be requested for reimbursement. These vehicles will be provided to MCSAP Troopers to replace high-mileage vehicles in the fleet. **Vehicles are considered for replacement when mileage exceeds 100,000 or more than 5 years old.**

MOE Expenditures

Troop S hosts numerous trainings and outreach functions at our facility and have budgeted \$20,000 to update the A/V equipment. This will include new desktop computer, overhead projector and smart board.

The remaining 50% of the cost of the 10 vehicles purchased will be charged to the MOE in the amount of \$160,000. Assuming all activities will be MCSAP eligible.

Ten 800mhz radios have been budgeted to outfit the 10 new vehicles Troop S anticipates purchasing. These are a required item in all new units for Troopers.

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
Office Supplies	1	ea	\$19,500.00	\$19,500.00	\$16,575.00	\$2,925.00	\$0.00
Inspection Supplies	100	ea	\$680.00	\$68,000.00	\$57,800.00	\$10,200.00	\$0.00
Uniform Maintenance & Repair	50	ea		\$0.00	\$0.00	\$0.00	\$5,000.00
New Vehicle Police Package	10	ea	\$11,765.00	\$117,650.00	\$100,002.50	\$17,647.50	\$84,500.00
Computers	7	ea		\$0.00	\$0.00	\$0.00	\$15,000.00
Sub-Total Supplies				\$205,150.00	\$174,377.50	\$30,772.50	\$104,500.00

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

Office supplies = \$19,500 This will cover the required day-to-day supplies needed such as paper, pens and staples as well as postage, Adobe Pro software upgrade, and small IT supplies.

Inspection supplies = **There are approximately 100 certified inspectors within the MCSAP program (100 x \$680 = \$68,000).** This line item will include purchasing FMCSR & Hazmat regulation manuals, Out-of-Service criteria, uniforms, thermal printers & paper, creepers, chocks, gloves, chalk, CVSA decals, etc.

New Vehicle Police Package = \$117,650 includes lights, sirens, radios, cameras, etc. needed to outfit a new MCSAP Trooper vehicle.

MOE Expenditures

Uniform Maintenance & Repair = \$5000 Covers a MCSAP Trooper who needs to have his uniform repaired or tailored.

New Vehicle Police Package = \$84,000 Covers a portion of the cost of supplies to outfit a new unit. Assuming all activities will be MCSAP eligible. This includes lights, sirens, radios, cameras, etc.

Computers = \$15,000 This is allow for completely updating the administrative support staff's computers to laptops. This will help users be more mobile for meetings and conferences.

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
Contractual Expenditures	\$140,684.00	\$119,581.40	\$21,102.60	\$0.00
ALK	\$0.00	\$0.00	\$0.00	\$4,000.00
Sub-Total Contractual	\$140,684.00	\$119,581.40	\$21,102.60	\$4,000.00

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

Contractual Expenses = \$140,684

Troop S contracts with Standley Services to provide a machine with the ability to copy, fax, and scan. This is an estimated cost of \$4,000.

DSL line is provided at our FMCSA division is \$2,000 and this is for administrative staff, Troopers, or Compliance Investigators to have wireless access when at that facility.

There is \$400 in the budget for a COX fax line allows Troop S to send/receive faxes.

\$64,284 is for the office lease for the space used for the MCSAP Troop. This cost is based on a yearly lease agreement that is a combination of the monthly rental fees and utilities (including electric, gas, etc.).

Troop S Troopers, Lieutenants, and Captain have smartphones with built-in WIFI hotspots. Communication devices are needed for all MCSAP Troopers to perform their job functions. This cost will be \$40,000.

Troop S is transitioning to inSPECT software application for our roadside inspections. The anticipated budget for this is \$30,000.

MOE Expenses

\$4,000 for ALK PC Miler software which is a highway mileage and routing software.

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
Other Expenses	1	EA	\$212,000.00	\$212,000.00	\$180,200.00	\$31,800.00	\$0.00
Sub-Total Other Costs				\$212,000.00	\$180,200.00	\$31,800.00	\$0.00

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

Fuel and maintenance costs are necessary for the operation of the MCSAP Troopers and will be billed with the respective level of effort to the MCSAP program with an anticipated amount of \$150,000

Troop S uses the Hazmat Transportation Enforcement Software created by RegScan to aid in Hazmat inspections. This has an associate cost of \$20,000

Training will be a big focus this year with a \$20,000 budget to cover the costs of a North American A&B school, Hazmat school, and various other training through the year for refresher and needed training.

A commercial motor vehicle that passes a Level I or Level V roadside inspection is awarded a Commercial Vehicle Safety Alliance decal. The "pass inspection" means that no violations are found on those items listed in the Critical area of the CVSA Out-of-Service Criteria. Decals are affixed to the vehicle by the certified inspector. Decals are ordered each quarter and for the year we expect to spend \$2,500

Troop S pays an annual membership fee to be a CVSA member in the amount of \$9,800.

Troop S has budgeted personnel to attend the COHMED conference in January which is estimated at \$1,700 for registration fees.

The State encourages participation in the CVSA conferences as it has proven very beneficial over the years in increasing our knowledge of safety practices across the U.S., encouraged uniformity in our state, and created partnership with other states. Personnel are budgeted to attend the CVSA Spring Conference to ensure a valuable presence in the committees including Driver-Traffic Enforcement, Hazardous Materials, Information Systems, Size and Weight, Training, Vehicle, and Passenger Carrier. Registration fees are expected to be \$4,000.

The State encourages participation in the CVSA conferences as it has proven very beneficial over the years in increasing our knowledge of safety practices across the U.S., encouraged uniformity in our state, and created partnership with other states. It is important to Oklahoma that our attendance be consistent for optimal results and involvement so we budgeted personnel to attend the CVSA Fall Conference. Registration fees are expected to be \$4,000.

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	\$5,525,069.00	\$975,012.00	\$6,500,081.00

Allowable amount for Overtime (15% of total award amount without justification): \$975,012.00

Maximum amount for Non-CMV Traffic Enforcement (10% of Basic funding amount): \$456,630.00

Personnel (Payroll Costs)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Administrative Programs Officer II	\$51,000.00	\$9,000.00	\$60,000.00	\$0.00
Administrative Programs Officer I	\$35,700.00	\$6,300.00	\$42,000.00	\$0.00
Administrative Assistant II	\$66,300.00	\$11,700.00	\$78,000.00	\$0.00
Administrative Assistant I	\$28,900.00	\$5,100.00	\$34,000.00	\$0.00
POE Civilian CMV Inspectors	\$0.00	\$0.00	\$0.00	\$85,000.00
CVTEP	\$0.00	\$0.00	\$0.00	\$132,000.00
TTEP	\$0.00	\$0.00	\$0.00	\$113,160.00
Turnpike Trooper	\$0.00	\$0.00	\$0.00	\$158,000.00
Captain	\$73,950.00	\$13,050.00	\$87,000.00	\$0.00
Lieutenant	\$449,225.00	\$79,275.00	\$528,500.00	\$0.00
Trooper	\$2,118,238.64	\$373,806.82	\$2,492,045.46	\$0.00
MCSAP Attorney	\$40,800.00	\$7,200.00	\$48,000.00	\$0.00
Overtime	\$164,684.95	\$29,062.05	\$193,747.00	\$0.00
MCSAP IT Technician	\$35,700.00	\$6,300.00	\$42,000.00	\$0.00
Subtotal for Personnel	\$3,064,498.59	\$540,793.87	\$3,605,292.46	\$488,160.00

Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Administrative Programs Officer II	\$31,450.00	\$5,550.00	\$37,000.00	\$0.00
Administrative Programs Officer I	\$29,750.00	\$5,250.00	\$35,000.00	\$0.00
Administrative Assistant II	\$39,950.00	\$7,050.00	\$47,000.00	\$0.00
Administrative Assistant I	\$14,450.00	\$2,550.00	\$17,000.00	\$0.00
POE Civilian CMV Inspectors	\$0.00	\$0.00	\$0.00	\$90,000.00
CVTEP	\$0.00	\$0.00	\$0.00	\$49,175.00
TTEP	\$0.00	\$0.00	\$0.00	\$42,150.00
Turnpike Trooper	\$0.00	\$0.00	\$0.00	\$65,000.00
Captain	\$24,650.00	\$4,350.00	\$29,000.00	\$0.00
Lieutenant	\$185,937.50	\$32,812.50	\$218,750.00	\$0.00
Trooper	\$809,914.77	\$142,926.14	\$952,840.91	\$0.00
MCSAP Attorney	\$23,800.00	\$4,200.00	\$28,000.00	\$0.00
Overtime	\$0.00	\$0.00	\$0.00	\$0.00
MCSAP IT Technician	\$27,200.00	\$4,800.00	\$32,000.00	\$0.00
Subtotal for Fringe Benefits	\$1,187,102.27	\$209,488.64	\$1,396,590.91	\$246,325.00

Program Travel				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Program Travel	\$63,962.50	\$11,287.50	\$75,250.00	\$0.00
Subtotal for Program Travel	\$63,962.50	\$11,287.50	\$75,250.00	\$0.00

Equipment				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Vehicles	\$136,000.00	\$24,000.00	\$160,000.00	\$160,000.00
Training A/V Equipment	\$0.00	\$0.00	\$0.00	\$20,000.00
800mhz Radios	\$0.00	\$0.00	\$0.00	\$57,500.00
Subtotal for Equipment	\$136,000.00	\$24,000.00	\$160,000.00	\$237,500.00

Supplies				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Office Supplies	\$16,575.00	\$2,925.00	\$19,500.00	\$0.00
Inspection Supplies	\$57,800.00	\$10,200.00	\$68,000.00	\$0.00
Uniform Maintenance & Repair	\$0.00	\$0.00	\$0.00	\$5,000.00
New Vehicle Police Package	\$100,002.50	\$17,647.50	\$117,650.00	\$84,500.00
Computers	\$0.00	\$0.00	\$0.00	\$15,000.00
Subtotal for Supplies	\$174,377.50	\$30,772.50	\$205,150.00	\$104,500.00

Contractual (Subgrantees, Consultant Services, etc.)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Contractual Expenditures	\$119,581.40	\$21,102.60	\$140,684.00	\$0.00
ALK	\$0.00	\$0.00	\$0.00	\$4,000.00
Subtotal for Contractual	\$119,581.40	\$21,102.60	\$140,684.00	\$4,000.00

Other Expenses				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Other Expenses	\$180,200.00	\$31,800.00	\$212,000.00	\$0.00
Subtotal for Other Expenses including Training & Conferences	\$180,200.00	\$31,800.00	\$212,000.00	\$0.00

Total Costs				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Direct Costs	\$4,925,722.26	\$869,245.11	\$5,794,967.37	\$1,080,485.00
Total Costs Budgeted	\$4,925,722.26	\$869,245.11	\$5,794,967.37	\$1,080,485.00

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	\$5,525,069.00	\$975,012.00	\$6,500,081.00

Cost Summary by Budget Category				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Personnel Total	\$3,390,434.96	\$598,312.05	\$3,988,747.01	\$488,160.00
Fringe Benefit Total	\$1,327,699.99	\$234,300.00	\$1,561,999.99	\$246,325.00
Program Travel Total	\$123,250.00	\$21,750.00	\$145,000.00	\$0.00
Equipment Total	\$136,000.00	\$24,000.00	\$160,000.00	\$237,500.00
Supplies Total	\$204,552.50	\$36,097.50	\$240,650.00	\$104,500.00
Contractual Total	\$132,331.40	\$23,352.60	\$155,684.00	\$4,000.00
Other Expenses Total	\$210,800.00	\$37,200.00	\$248,000.00	\$0.00
Total Costs				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Direct Costs	\$5,525,068.85	\$975,012.15	\$6,500,081.00	\$1,080,485.00
Indirect Costs	\$0.00	\$0.00	\$0.00	\$0.00
Total Costs Budgeted	\$5,525,068	\$975,013	\$6,500,081	\$1,080,485

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.

**OKLAHOMA DEPARTMENT OF PUBLIC SAFETY
REGULATORY COMPATIBILITY REVIEW**

In accordance with 49 CFR, Parts 350 and 355, as COMMISSIONER for the Oklahoma Department of Public Safety, State of Oklahoma, I do hereby certify that a regulatory review has been conducted and the State of Oklahoma is compatible with appropriate parts of the Federal Motor Carrier Safety Regulations (FMCSR) and the Federal Hazardous Material Regulations (FHMR) as follows:

Oklahoma has adopted the Federal Motor Carrier Safety and Hazardous Material Regulations under statutory authority of 47 O.S. § 230.4. The adoption of the regulations have been codified in agency rules, Title 595 Oklahoma Department of Public Safety, Chapter 35 Enforcement of Oklahoma Motor Carrier Safety and Hazardous Materials Transportation Act, Sections 595:35-1-4 through 595:35-1-6. Oklahoma has adopted 49 CFR, Part 387 insurance regulations under statutory authority of 47 O.S. § 162. The adoption of the regulations have been codified in agency rules, Title 165 Corporation Commission, Chapter 30 Motor Carrier, Section 165:30-3-11.

Listed below is a table that provides an overview of Federal Regulations (INTERSTATE) currently adopted by the DPS and where compatible rules exist for INTRASTATE Carriers:

49 CFR, PART	For Hire Carriers (Y=Compatible Rules Exist)	Private Carriers (Y=Compatible Rules Exist)	Exempt Carriers (Y=Compatible Rules Exist)
40	Y	Y	Y
382	Y	Y	Y
383	Y	Y	Y
385	Y	Y	Y
386	Y	Y	Y
387	Y	Y	Y
390	N	Y	Y
391	Y	Y	Y
392	Y	Y	Y
393	Y	Y	Y
395	Y	Y	Y
396	Y	Y	Y
397	Y	Y	Y
107	Y	Y	Y
171	Y	Y	Y
172	Y	Y	Y
173	Y	Y	Y
177	N	N	N
178	Y	Y	Y
180	Y	Y	Y

49 CFR 390.5 – Definition of a Bus – The Oklahoma Statute Title 47 O.S. § 1-105 excludes, for the purposes of Title 47, taxicabs from the definition of a bus. The FMCSR 49 CFR 390.5 includes taxicabs in the definition of a bus.

Action Plan: Troop S will resubmit a legislative request to address the inconsistency for the 2017 legislative session or request an additional variance.

Estimated Completion Date: State fiscal year 2017

49 CFR 390.23 – Relief from Regulations – The Oklahoma Administrative Code, OAC 595:35-1-6, requires that anyone requesting relief from the hours of service (HOS) regulations during an emergency can only obtain approval from the DPS Troop Commander in the region where the emergency exists. While 49 CFR 390.23 allows authorized representatives of a State to declare certain types of emergencies, thereby providing relief from the HOS regulations, it also provides for emergency declarations by the Governor, the President of the United States, and the appropriate FMCSA Field Administrator.

Action Plan: Troop S will submit a request for appropriate administrative rule change to address the inconsistency.

Estimated Completion Date: State fiscal year 2017

49 CFR 177.823(a)(2) – Approval for Intrastate Motor Vehicle Transporting HM – The Oklahoma Administrative Code, OAC 595:35-1-6(d)(4), gives authority to approve the movement of an intrastate motor vehicle transporting hazardous material (HM) without placards or making in an emergency to the commander of Troop S. Although a State or local government may escort such vehicles or allow them to be moved to protect life or property, authority for permission is otherwise restricted to the U.S. Department of Transportation (USDOT) as set forth in 49 CFR 177.823(a)(2).

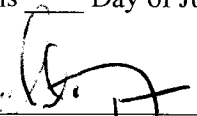
Action Plan: Troop S will submit a request for appropriate administrative rule change to address the inconsistency.

Estimated Completion Date: State fiscal year 2017

OKLAHOMA DEPARTMENT OF PUBLIC SAFETY
P.O. Box 11415
Oklahoma City, OK 73136

Dated this _____ Day of July 2016

✓ LCHS
7-27-16



Michael C. Thompson, Commissioner

FY 2017 Certification of MCSAP Conformance (State Certification)

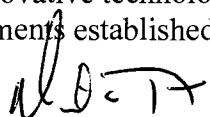
I, **Michael C. Thompson, Secretary of Safety and Security & Commissioner Department of Public Safety**, on behalf of the State of Oklahoma, as requested by the Administrator as a condition of approval of a grant under the authority of 49 U.S.C. § 31102, as amended, do hereby certify as follows:

1. The State has adopted commercial motor carrier and highway hazardous materials safety regulations, standards and orders that are compatible with the FMCSRs and the HMRs, and the standards and orders of the Federal Government.
2. The State has designated the **Oklahoma Department of Public Safety** as the Lead State Agency to administer the Commercial Vehicle Safety Plan throughout the State for the grant sought and the **Oklahoma Highway Patrol** to perform defined functions under the CVSP. The Lead State Agency has the legal authority, resources, and qualified personnel necessary to enforce the State's commercial motor carrier, driver, and highway hazardous materials safety laws, regulations, standards, and orders.
3. The State will obligate the funds or resources necessary to provide a matching share to the Federal assistance provided in the grant to administer the plan submitted and to enforce the State's commercial motor carrier safety, driver, and hazardous materials laws, regulations, standards, and orders in a manner consistent with the approved plan.
4. The laws of the State provide the State's enforcement officials right of entry (or other method a State may use that is adequate to obtain the necessary information) and inspection sufficient to carry out the purposes of the CVSP, as approved, and provide that the State will grant maximum reciprocity for inspections conducted pursuant to the North American Standard Inspection procedure, through the use of a nationally accepted system allowing ready identification of previously inspected CMVs.
5. The State requires that all reports relating to the program be submitted to the appropriate State agency or agencies, and the State will make these reports available, in a timely manner, to the FMCSA on request.
6. The State has uniform reporting requirements and uses FMCSA designated forms for record keeping, inspection, and other enforcement activities.
7. The State has in effect a requirement that registrants of CMVs demonstrate their knowledge of the applicable Federal or State CMV safety laws or regulations.
8. The State must ensure that the total expenditure of amounts of the Lead State Agency will be maintained at a level of effort each fiscal year in accordance with 49 CFR 350.301.

9. The State will ensure that MCSAP funded enforcement of activities under 49 CFR 350.309 will not diminish the effectiveness of the development and implementation of the programs to improve motor carrier, CMV, and driver safety.
10. The State will ensure that CMV size and weight enforcement activities funded with MCSAP funds will not diminish the effectiveness of other CMV safety enforcement programs.
11. The State will ensure that violation sanctions imposed and collected by the State are consistent, effective, and equitable.
12. The State will (1) establish and dedicate sufficient resources to a program to provide FMCSA with accurate, complete, and timely reporting of motor carrier safety information that includes documenting the effects of the State's CMV safety programs; (2) participate in a national motor carrier safety data correction program (DataQs); (3) participate in appropriate FMCSA systems including information technology and data systems; and (4) ensure information is exchanged in a timely manner with other States.
13. The State will ensure that the CVSP, data collection, and information data systems are coordinated with the State highway safety improvement program under sec. 148(c) of title 23, U.S. Code. The name of the Governor's highway safety representative (or other authorized State official through whom coordination was accomplished) is **Michael C. Thompson**.
14. The State has undertaken efforts to emphasize and improve enforcement of State and local traffic laws as they pertain to CMV safety.
15. The State will ensure that it has departmental policies stipulating that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel.
16. The State will ensure that MCSAP-funded personnel, including sub-grantees, meet the minimum Federal standards set forth in 49 CFR part 385, subpart C for training and experience of employees performing safety audits, compliance reviews, or driver/vehicle roadside inspections.
17. The State will enforce registration (i.e., operating authority) requirements under 49 U.S.C 13902, 31134, and 49 CFR § 392.9a by prohibiting the operation of any vehicle discovered to be operating without the required registration or beyond the scope of the motor carrier's registration.
18. The State will cooperate in the enforcement of financial responsibility requirements under 49 U.S.C. 13906, 31138, 31139 and 49 CFR part 387.
19. The State will include, in the training manual for the licensing examination to drive a non-CMV and the training manual for the licensing examination to drive a CMV, information on best practices for safe driving in the vicinity of noncommercial and commercial motor vehicles.

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

Date

 7/29/16

Signature

VLSHS
7-27-16

New Legislation – State of Oklahoma

Senate Bill 1317: New – Title 47 os 14-109.3

Provides a 2,000lbs weight variance for CMVs powered by CNG or LNG

House Bill 2449: Amends – Title 47 os 12-227

Allows flashing lights on solid waste / refuse trucks

New – Title 47 os 11-315.1

Requires vehicles to move to non-adjacent lane, if possible, or slow down when approaching a solid waste / refuse truck collecting refuse

Senate Bill 1018: Amends – Title 47 os 6-111

DPS may issue non-domiciled residents a CLP or CDL if they are lawfully present in the US under a H2A temporary AG workers permit or a J-1 exchange visitor program

Senate Bill 982: Amends – Title 47 os 14-101

Allows oversized vehicles to move at night, when approved by the DPS Commissioner, for good cause and safe movement.

Amends – Title 47 os 14-116

Removes Provisional Permits

Senate Bill 1059: Amends - Title 47 os 1167

Alters the hours of operation for POEs; Provides funding for DPS to hire and train additional POE CMV inspectors

Senate Bill 1318: Amends – Title 47 os 1106

Allows revocation of Title, Registration and License Plate or suspend License Plate of motor carriers whose authority is terminated or denied by the State or Federal Agency.

Amends – Title 47 of 1120

Modifies mileage and reporting requirements for registration

Amends – Title 47 os 1202

Increases Oklahoma Corporation Commission Enforcement's radius from 7 miles to 25 miles from the POE

House Bill 2325: Amends – Title 47 os 230.15

Prohibits enforcement of the 30 minute rest break rule of 49 CFR 395.3(a)(iii) if the driver is solely intrastate

An Act

ENROLLED SENATE
BILL NO. 1317

By: Jolley of the Senate

and

Watson, Cockroft, Osborn,
Sanders, Jordan, Roberts
(Sean), Inman, Wood,
McCall, Henke and Scott of
the House

An Act relating to size, weight and load; providing for certain weight exemption for natural gas vehicles; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Natural gas vehicle weight

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 14-109.3 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. A motor vehicle, if operated by an engine fueled wholly or partially by compressed or liquefied natural gas, may exceed the gross vehicle weight limits and any axle weight limits by an amount, not to exceed a maximum of two thousand (2,000) pounds, that is equal to the difference between:

1. The weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle; and
2. The weight of a comparable diesel tank and fueling system.

B. The weight exemption allowed under this section shall extend to all state roads and also to interstate highways per the exemption expressly permitted under section 127(s) of Title 23 of the United States Code, as amended by Section 1410 of the Fixing America's Surface Transportation Act of 2015.

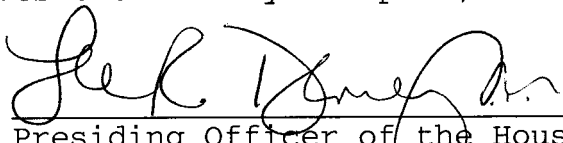
SECTION 2. This act shall become effective July 1, 2016.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 3rd day of March, 2016.


Presiding Officer of the Senate

Passed the House of Representatives the 7th day of April, 2016.


Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 11th
day of April, 20 16, at 2:37 o'clock P M.
By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 14th
day of April, 20 16, at 3:28 o'clock P M.


Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 14th
day of April, 20 16, at 3:44 o'clock P M.
By: Ch. Benze

An Act

ENROLLED HOUSE
BILL NO. 2449

By: O'Donnell, Sherrer and
Hoskin of the House

and

Barrington of the Senate

An Act relating to motor vehicles; requiring certain traffic maneuvering and caution when approaching certain vehicles; amending 47 O.S. 2011, Section 12-227, which relates to restrictions on certain lights on motor vehicles; providing additional exception for flashing lights; providing for codification; and providing an effective date.

SUBJECT: Traffic around vehicles being used in the collection of refuse, solid waste or recyclables

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-315.1 of Title 47, unless there is created a duplication in numbering, reads as follows:

The driver of a motor vehicle, upon approaching a vehicle being used in the collection of refuse, solid waste or recyclables displaying side marker lamps which flash in conjunction with turn signal lamps or vehicle hazard warning lamps pursuant to the provisions of Section 12-227 of Title 47 of the Oklahoma Statutes, shall:

1. If traveling on a highway that consists of two or more lanes that carry traffic in the same direction of travel as that of the driver, proceed with due caution and shall, if possible and with due regard to the road, weather and traffic conditions, change lanes into a lane that is not adjacent to the vehicle being used in the collection of refuse, solid waste or recyclables; or if the driver is not able to change lanes or if to do so would be unsafe, the

driver shall proceed with due caution and reduce the speed of the motor vehicle to a safe speed for the existing road, weather and traffic conditions; and

2. If traveling on a highway other than a highway described in paragraph 1 of this subsection, proceed with due caution and reduce the speed of the motor vehicle to a safe speed for the existing road, weather and traffic conditions.

SECTION 2. AMENDATORY 47 O.S. 2011, Section 12-227, is amended to read as follows:

Section 12-227. A. Any lighted lamp or illuminating device upon a motor vehicle, other than headlamps, spot lamps, auxiliary driving lamps, flashing turn signals, vehicular hazard warning lamps, authorized emergency vehicle lamps, snow removal and construction and maintenance vehicle warning lamps, and school bus and church bus warning lamps, which projects a beam of light of an intensity greater than three hundred (300) candlepower shall be so directed that no part of the high intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five (75) feet from the vehicle.

B. Except as provided in Sections 12-218, 12-218.1, 12-228, and 12-229 of this title, no person shall drive or move any vehicle or equipment upon any highway with any lamp or device thereon displaying or capable of displaying a red or blue light visible from directly in front of the center thereof.

C. Flashing lights are prohibited except on:

1. An authorized emergency vehicle, as provided in Section 12-218 of this title;

2. A school bus or a church bus, as provided in Section 12-228 of this title;

3. Any snow-removal ~~and~~, construction, and maintenance equipment, as provided in Section 12-229 of this title;

4. A wrecker or tow vehicle while at the scene of an emergency or loading or unloading a vehicle in close proximity to traffic as needed for safety precautions or as a means of indicating the presence of a vehicular traffic hazard requiring unusual care in

approaching, overtaking or passing, as provided in Section 12-218.1 of this title;

5. Any vehicle as a means of indicating a right or left turn, as provided in Sections 12-206.1 and 12-606 of this title;

6. Any vehicle as a means of indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing, as provided in Section 12-220 of this title;

7. Any vehicle displaying side marker lamps which flash in conjunction with turn signal lamps or vehicle hazard warning lamps, as provided in Section 12-220 of this title;

8. A farm tractor or an implement of husbandry, as provided in Section 12-215 of this title; ~~or~~

9. Any vehicle used while performing official duties as a rural or contract route mail carrier of the United States Postal Service, as provided in Section 12-218.2 of this title; or

10. Any vehicle being used in the collection of refuse, solid waste or recyclables displaying side marker lamps which flash in conjunction with turn signal lamps or vehicle hazard warning lamps indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing, as provided in Section 12-220 of this title.

D. Blue lights are prohibited except as allowed in Sections 12-218, 12-218.1, and 12-229 of this title.

E. Any person violating the provisions of subsection B, C or D of this section shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six (6) months, or by a fine not exceeding Two Thousand Dollars (\$2,000.00), or by both such fine and imprisonment.

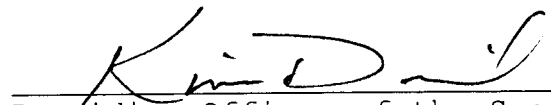
SECTION 3. This act shall become effective November 1, 2016.

Passed the House of Representatives the 1st day of March, 2016.



Presiding Officer of the House
of Representatives

Passed the Senate the 19th day of April, 2016.



Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 20th
day of April, 20 16, at 1:08 o'clock P M.

By: Andrew Lockwell

Approved by the Governor of the State of Oklahoma this 26th
day of April, 20 16, at 2:06 o'clock P M.


Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 26th
day of April, 20 16, at 3:24 o'clock P M.

By: Cheri Benze

An Act

ENROLLED SENATE
BILL NO. 1018

By: Schulz of the Senate

and

Wright of the House

An Act relating to commercial driver licenses; amending 47 O.S. 2011, Section 6-111, as last amended by Section 4, Chapter 266, O.S.L. 2015 (47 O.S. Supp. 2015, Section 6-111), which relates to commercial driver licenses; authorizing certain driver licenses to be issued; stating requirements; allowing rules for implementation; and providing an effective date.

SUBJECT: Non-domiciled commercial driver licenses

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-111, as last amended by Section 4, Chapter 266, O.S.L. 2015 (47 O.S. Supp. 2015, Section 6-111), is amended to read as follows:

Section 6-111. A. 1. The Department of Public Safety shall, upon payment of the required fee, issue to every applicant qualifying therefor a Class A, B, C or D driver license or identification card as applied for, which license or card shall bear thereon a distinguishing alphanumeric identification assigned to the licensee or cardholder, date of issuance and date of expiration of the license or card, the full name, signature or computerized signature, date of birth, residence address, sex, a color photograph or computerized image of the licensee or cardholder and security features as determined by the Department. The photograph or image shall depict a full front unobstructed view of the entire face of the licensee or cardholder; provided, a commercial learner permit

shall not bear the photograph or image of the licensee. When any person is issued both a driver license and an identification card, the Department shall ensure the information on both the license and the card are the same, unless otherwise provided by law.

2. A driver license or identification card issued by the Department on or after March 1, 2004, shall bear thereon the county of residence of the licensee or cardholder.

3. The Department may cancel the distinguishing number, when that distinguishing number is another person's Social Security number, assign a new distinguishing alphanumeric identification, and issue a new license or identification card without charge to the licensee or cardholder.

4. The Department may promulgate rules for inclusion of the height and a brief description of the licensee or cardholder on the face of the card or license identifying the licensee or cardholder as deaf or hard-of-hearing.

5. It is unlawful for any person to apply, adhere, or otherwise attach to a driver license or identification card any decal, sticker, label, or other attachment. Any law enforcement officer is authorized to remove and dispose of any unlawful decal, sticker, label, or other attachment from the driver license of a person. The law enforcement officer, the employing agency of the officer, the Department of Public Safety, and the State of Oklahoma shall be immune from any liability for any loss suffered by the licensee, cardholder, or the owner of the decal, sticker, label, or other attachment caused by the removal and destruction of the decal, sticker, label, or other attachment.

6. The Department of Public Safety may develop by rule an alternative procedure whereby a person may apply for a renewal or replacement Oklahoma Class D license or Oklahoma identification card.

B. The Department may issue a temporary permit to an applicant for a driver license permitting such applicant to operate a motor vehicle while the Department is completing its investigation and determination of all facts relative to such applicant's privilege to receive a license. Such permit must be in the immediate possession

of the driver while operating a motor vehicle, and it shall be invalid when the applicant's driver license has been issued or for good cause has been refused.

C. 1. The Department may issue a restricted commercial driver license to ~~seasonal~~ drivers eighteen (18) years of age or older for any of the following specific farm-related service industries:

- a. farm retail outlets and suppliers,
- b. agri-chemical businesses,
- c. custom harvesters, and
- d. livestock feeders.

The applicant shall hold a valid Oklahoma driver license and shall meet all the requirements for a commercial driver license. The restricted commercial driver license shall not exceed a total of one hundred eighty (180) days within any twelve-month period.

2. The restricted commercial driver license shall not be valid for operators of commercial motor vehicles beyond one hundred fifty (150) miles from the place of business or the farm currently being served. Such license shall be limited to Class B vehicles. Holders of such licenses who transport hazardous materials which are required to be placarded shall be limited to the following:

- a. diesel fuel in quantities of one thousand (1,000) gallons or less,
- b. liquid fertilizers in vehicles with total capacities of three thousand (3,000) gallons or less, and
- c. solid fertilizers that are not mixed with any organic substance.

No other placarded hazardous materials shall be transported by holders of such licenses.

D. The Department may issue a non-domiciled commercial learner permit or a non-domiciled commercial driver license to:

1. An H2A-Temporary Agricultural worker lawfully present in the United States as indicated on an original, valid and unexpired I-94 immigration status document issued by the United States Customs and Immigration Service; and

2. A J-1 Exchange Visitor Program participant lawfully present in the United States as indicated on a valid and unexpired J-1 Visitor Visa issued by the United States Customs and Immigration Service and who is enrolled in an agricultural education training program.

A person applying for such permit or license must comply with all testing and licensing requirements in accordance with applicable federal regulations, state laws and Department rules. The issued license shall be valid until the expiration of the visa for the non-domiciled worker. The Department may promulgate rules for the implementation of the process to carry out the provisions of this section.

E. 1. The Department shall develop a procedure whereby a person applying for an original, renewal or replacement Class A, B, C or D driver license or identification card who is required to register as a convicted sex offender with the Department of Corrections pursuant to the provisions of the Sex Offenders Registration Act and who the Department of Corrections designates as an aggravated or habitual offender pursuant to subsection J of Section 584 of Title 57 of the Oklahoma Statutes shall be issued a license or card bearing the words "Sex Offender".

2. The Department shall notify every person subject to registration under the provisions of Section 1-101 et seq. of this title who holds a current Class A, B, C or D driver license or identification card that such person is required to surrender the license or card to the Department within one hundred eighty (180) days from the date of the notice.

3. Upon surrendering the license or card for the reason set forth in this subsection, application may be made with the Department for a replacement license or card bearing the words "Sex Offender".

4. Failure to comply with the requirements set forth in such notice shall result in cancellation of the person's license or card. Such cancellation shall be in effect for one (1) year, after which time the person may make application with the Department for a new license or card bearing the words "Sex Offender". Continued use of a canceled license or card shall constitute a misdemeanor and shall, upon conviction thereof, be punishable by a fine of not less than Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars (\$200.00). When an individual is no longer required to register as a convicted sex offender with the Department of Corrections pursuant to the provisions of the Sex Offenders Registration Act, the individual shall be eligible to receive a driver license or identification card which does not bear the words "Sex Offender".

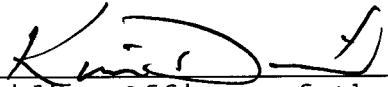
~~E.~~ F. Nothing in subsection ~~D~~ E of this section shall be deemed to impose any liability upon or give rise to a cause of action against any employee, agent or official of the Department of Corrections for failing to designate a sex offender as an aggravated or habitual offender pursuant to subsection J of Section 584 of Title 57 of the Oklahoma Statutes.

~~F.~~ G. The Department shall develop a procedure whereby a person subject to an order for the installation of an ignition interlock device shall be required by the Department to submit their driver license for a replacement. The replacement driver license shall bear the words "Interlock Required" and such designation shall remain on the driver license for the duration of the order requiring the ignition interlock device. The replacement license shall be subject to the same expiration and renewal procedures provided by law. Upon completion of the requirements for the interlock device, a person may apply for a replacement driver license.

~~G.~~ H. The Department shall develop a procedure whereby a person applying for an original, renewal or replacement Class D driver license who has been granted modified driving privileges under this title shall be issued a Class D driver license which identifies the license as a modified license.

SECTION 2. This act shall become effective November 1, 2016.

Passed the Senate the 9th day of March, 2016.


Presiding Officer of the Senate

Passed the House of Representatives the 19th day of April, 2016.


Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 20th
day of April, 20 16, at 4:45 o'clock P M.
By: Audrey Rodwell

Approved by the Governor of the State of Oklahoma this 26th
day of April, 20 16, at 2:31 o'clock P M.


Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 24th 26th
day of April, 20 16, at 3:24 o'clock P M.
By: Chris Benge

An Act

ENROLLED SENATE
BILL NO. 982

By: Stanislawski of the Senate

and

Leewright of the House

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 14-101, as last amended by Section 3, Chapter 294, O.S.L. 2015 (47 O.S. Supp. 2015, Section 14-101), which relates to issuance of overweight permits; permitting issuance of night time travel permit under certain terms and restrictions; amending 47 O.S. 2011, Section 14-116, as last amended by Section 10, Chapter 283, O.S.L. 2012 (47 O.S. Supp. 2015, Section 14-116), which relates to permit fees; deleting certain language; providing an effective date; and declaring an emergency.

SUBJECT: Motor vehicle permits

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2011, Section 14-101, as last amended by Section 3, Chapter 294, O.S.L. 2015 (47 O.S. Supp. 2015, Section 14-101), is amended to read as follows:

Section 14-101. A. It is a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or vehicles of a size or weight exceeding the limitations stated in this chapter or otherwise in violation of this chapter, and the maximum size and weight of vehicles herein specified shall be lawful throughout this state and local authorities shall have no power or authority to alter the

limitations except as express authority may be granted in this chapter.

B. The Commissioner of Public Safety is directed to issue annual overweight permits to:

1. Municipalities and rural fire districts for the transportation of firefighting apparatus at no cost to the municipalities or rural fire districts;

2. Owners of implements of husbandry, which includes tractors that are temporarily moved upon a highway at no cost to the owner;

3. Retail implement dealers while hauling implements of husbandry at no cost to the dealer; and

4. Owners of certain vehicles as provided for in Section 14-103G of this title.

C. If a vehicle is issued a license pursuant to Section ~~1~~ 1134.4 of this ~~act~~ title, the license shall also serve as the overweight permit required by this section.

D. All size, weight and load provisions covered by this chapter shall be subject to the limitations imposed by Title 23, United States Code, Section 127, and such other rules and regulations developed herein. Provided further that any size and weight provision authorized by the United States Congress for use on the National System of Interstate and Defense Highways, including but not limited to height, axle weight, gross weight, combinations of vehicles or load thereon shall be authorized for immediate use on such segments of the National System of Interstate and Defense Highways and any other highways or portions thereof as designated by the Transportation Commission or their duly authorized representative.

E. All size, weight and load provisions covered by Sections 14-101 through 14-123 of this title shall be subject to a gross vehicle weight limit of ninety thousand (90,000) pounds when applied to a vehicle operating off the National System of Interstate and Defense Highways unless such vehicle is operating in full compliance with an overweight permit issued by the Commissioner of Public Safety.

F. Any vehicle permitted for movement on the highways of this state as provided in Section 14-101 et seq. of this title, other than a vehicle permitted solely for overweight movement, shall be moved only during daylight hours. As used in Section 14-101 et seq. of this title, "daylight hours" shall mean one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset. The Commissioner of Public Safety, for good cause and consistent with the safe movement of the vehicle, may endorse a permit for the movement of an oversize vehicle to authorize night time travel under such terms and restrictions as the Commissioner may require.

G. 1. Any vehicle permitted for movement on the highways of this state as provided in Section 14-101 et seq. of this title shall not be moved at any time on the following holidays:

- a. New Year's Day (January 1),
- b. Memorial Day (the last Monday in May),
- c. The Fourth of July (Independence Day),
- d. Labor Day (the first Monday in September),
- e. Thanksgiving Day (the fourth Thursday in November),
and
- f. Christmas Day (December 25).

2. Any vehicle permitted for movement on the highways of this state as provided in Section 14-101 et seq. of this title shall be allowed to move on the following holidays:

- a. Martin Luther King, Jr.'s Birthday (the third Monday in January),
- b. President's Day, also known as Washington's Birthday (the third Monday in February), and
- c. Veteran's Day (November 11).

SECTION 2. AMENDATORY 47 O.S. 2011, Section 14-116, as last amended by Section 10, Chapter 283, O.S.L. 2012 (47 O.S. Supp. 2015, Section 14-116), is amended to read as follows:

Section 14-116. A. The Commissioner of Public Safety shall charge a minimum permit fee of Forty Dollars (\$40.00) for any permit issued pursuant to the provisions of Section 14-101 et seq. of this title. In addition to the permit fee, the Commissioner shall charge a fee of Ten Dollars (\$10.00) for each thousand pounds in excess of the legal load limit. The Commissioner of Public Safety shall establish any necessary rules for collecting the fees.

B. The Department of Public Safety is authorized to establish an escrow account system for the payment of permit fees. Authorized motor carriers meeting established credit requirements may participate in the escrow account system for permits purchased from all size and weight permit offices in this state. Carriers not choosing to participate in the escrow account system shall be required to make payment of the required fee or fees upon purchase of each permit as required by law. All monies collected through the escrow account system shall be deposited to a special account of the Department of Public Safety and placed in the custody of the State Treasurer. Proceeds from permits purchased using the escrow account system shall be distributed as provided for in subsection H of this section. However, fees collected through such accounts for the electronic transmission, transfer or delivery of permits, as provided for in Section 14-118 of this title, shall be credited to the Department of Public Safety Restricted Revolving Fund.

C. 1. Application for permits shall be made a reasonable time in advance of the expected time of movement of such vehicles. For emergencies affecting the health or safety of persons or a community, permits may be issued for immediate movement.

2. Size and weight permit offices in all districts where applicable shall issue permits to authorize carriers by telephone during weekdays.

~~3. The Commissioner of Public Safety shall develop a system for provisional permits for authorized carriers which may be used in lieu of a regular permit for the movement of oversize and overweight loads when issued an authorization number by the Department of~~

~~Public Safety. Such provisional permits shall include date of movement, general load description, estimated weight, oversize notation, route of travel, truck or truck tractor license number, and permit authorization number.~~

D. No overweight permit shall be valid until all license taxes due the State of Oklahoma have been paid.

E. No permit violation shall be deemed to have occurred when an oversize or overweight movement is made pursuant to a permit whose stated weight or size exceeds the actual load.

F. Any permit issued for a truck or truck-tractor operating in combination with a trailer or a semitrailer shall contain only the license plate number for the truck or truck-tractor if the permittee provides to the Department a list containing the license plate number, and such other information as the Department may prescribe by rule, for each trailer or semitrailer which may be used for movement with the permit. When the permittee provides the list described in this subsection, the license plate number for any trailer or semitrailer to be moved with the permit shall not be included on the permit; provided, a trailer or semitrailer which is not on the list shall not be authorized to be used for movement with the permit. It shall be the responsibility of the permittee to ensure the list provided to the Department is maintained and updated with any fleet changes. The Department shall adopt any rules deemed necessary to administer the provisions of this subsection.

G. The first deliverer of motor vehicles designated truck carriers or well service carriers manufactured in Oklahoma shall not be required to purchase an overweight permit when being delivered to the first purchaser.


H. Except as provided in Section 14-122 of this title, the first One Million Two Hundred Sixteen Thousand Dollars (\$1,216,000.00) of proceeds from both the permit fees and the overweight permit fees imposed pursuant to subsection A of this section collected monthly shall be apportioned as provided in Section 1104 of this title. All proceeds collected from both the permit fees and the overweight permit fees imposed pursuant to subsection A of this section in excess of One Million Two Hundred Sixteen Thousand Dollars (\$1,216,000.00) shall be deposited in the

Weigh Station Improvement Revolving Fund as provided in Section 1167 of this title for the purpose set forth in that section and may be used for motor carrier permitting systems and motor carrier safety and enforcement.

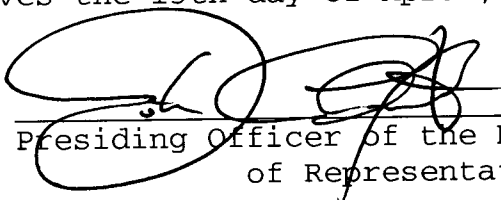
SECTION 3. This act shall become effective July 1, 2016.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 17th day of February, 2016.


Presiding Officer of the Senate

Passed the House of Representatives the 13th day of April, 2016.


Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 14th
day of April, 20 16, at 2:37 o'clock P M.

By: Audrey Lockwell

Approved by the Governor of the State of Oklahoma this 20th
day of April, 20 16, at 4:14 o'clock P M.


Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20 _____, at _____ o'clock _____ M.

By: Chris Benge

An Act

ENROLLED SENATE
BILL NO. 1059

By: Stanislawski of the Senate

and

Osborn of the House

An Act relating to port of entry operations; amending 47 O.S. 2011, Section 1167, as last amended by Section 1, Chapter 324, O.S.L. 2013 (47 O.S. Supp. 2015, Section 1167), which relates to overweight fees and fines; modifying certain revenue apportionment; amending Section 3, Chapter 262, O.S.L. 2012, as amended by Section 3 of Enrolled Senate Bill No. 1318 of the 2nd Session of the 55th Legislature (47 O.S. Supp. 2015, Section 1202), which relates to the operation of weigh stations; modifying operational hours; amending 47 O.S. 2011, Section 14-116, as last amended by Section 2 of Enrolled Senate Bill No. 982 of the 2nd Session of the 55th Oklahoma Legislature, which relates to permit fees; modifying the apportionment of certain fees to be remitted to the Department of Public Safety; providing an effective date; and declaring an emergency.

SUBJECT: Port of entry operations

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2011, Section 1167, as last amended by Section 1, Chapter 324, O.S.L. 2013 (47 O.S. Supp. 2015, Section 1167), is amended to read as follows:

Section 1167. A. The Corporation Commission is hereby authorized to promulgate rules pursuant to the Administrative Procedures Act to establish the amounts of fees, fines and penalties as set forth in ~~this act~~ Section 1166 et seq. of this title. The Corporation Commission shall notify all interested parties of any proposed rules to be promulgated as provided herein and shall provide such parties an opportunity to be heard prior to promulgation.

B. The Corporation Commission shall adjudicate enforcement actions initiated by Corporation Commission personnel.

C. Revenue derived from all fines and penalties collected or received by the Corporation Commission pursuant to the provisions of ~~this act~~ the Trucking One-Stop Shop Act shall be apportioned as follows:

1. For the period beginning ~~with the effective date of this act~~ August 23, 2013, the first Three Hundred Thousand Dollars (\$300,000.00) collected or received each fiscal year shall be remitted to the Department of Public Safety for the purpose of staffing the port of entry weigh stations to conduct safety inspections. The next Five Hundred Fifty Thousand Dollars (\$550,000.00) shall be remitted to the Oklahoma Tax Commission and apportioned as provided in Section 1104 of this title; and

2. ~~One half (1/2) of the~~ The remaining amount shall be deposited to the Trucking One-Stop Shop Fund created in subsection D of this section; ~~and~~

3. ~~One half (1/2) of the remaining amount shall be deposited to the Weigh Station Improvement Revolving Fund created in subsection E of this section.~~

D. There is hereby created in the State Treasury a revolving fund for the Corporation Commission to be known and designated as the "Trucking One-Stop Shop Fund". The Trucking One-Stop Shop Fund shall consist of:

1. All funds apportioned thereto in subsection C of this section;

2. Fees collected by the Commission to be retained as a motor license agent or other Corporation Commission registration or motor fuel fees as allowed by statute or rule; and

3. Any other monies to be utilized for the Trucking One-Stop Shop Act.

The fund shall be a continuing fund, not subject to fiscal year limitations, and shall not be subject to legislative appropriation. Monies in the Trucking One-Stop Shop Fund shall only be expended for direct expenses relating to the Trucking One-Stop Shop Act. Expenditures from the revolving fund shall be made pursuant to the laws of this state. In addition, expenditures from the revolving fund may be made pursuant to The Oklahoma Central Purchasing Act for the purpose of immediately responding to emergency situations, within the Commission's jurisdiction, having potentially critical environmental or public safety impact. Warrants for expenditures from the fund shall be drawn by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

E. There is hereby created in the State Treasury a revolving fund for the Department of Transportation to be designated the "Weigh Station Improvement Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies deposited thereto. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Department for the purpose of constructing, equipping and maintaining facilities to determine the weight of vehicles traveling on the roads and highways of this state. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

SECTION 2. AMENDATORY Section 3, Chapter 262, O.S.L. 2012, as amended by Section 3 of Enrolled Senate Bill No. 1318 of the 2nd Session of the 55th Oklahoma Legislature (47 O.S. Supp. 2015, Section 1202), is amended to read as follows:

Section 1202. A. The Department of Transportation, the Oklahoma Turnpike Authority and the Corporation Commission may enter

into interagency agreements concerning the equipment, maintenance and operations of fixed facilities.

B. The Department of Transportation, the Authority and the Commission shall endeavor to electronically upgrade weigh stations as practical to minimize the duplication of inspections for compliant commercial motor vehicles and motor carriers.

C. The Commission shall operate all current and future ports of entry weigh stations ~~twenty-four (24)~~ eighteen (18) to twenty (20) hours a day and seven (7) days a week upon the availability of funds.

D. The Commission shall continue to conduct roadside enforcement in the general area where a fixed facility is planned but no fixed facility currently exists until a fixed facility is located in the general area or July 1, 2016, whichever is earlier.

E. When a fixed facility is located in the general area, Commission motor carrier and commercial motor vehicle enforcement shall be limited to the fixed facility and a radius surrounding the facility. If the fixed facility is a weigh station as defined in Section 1201 of this title, the applicable radius shall be seven (7) miles. If the fixed facility is a port of entry weigh station as defined in Section 1201 of this title, the applicable radius shall be twenty-five (25) miles.

F. The Commission may assist in roadside enforcement in a joint effort at the request of the Oklahoma Highway Patrol.

G. The Commission is authorized to conduct audits, reviews, investigations, inspections or other enforcement actions by enforcement officers provided those activities are within the scope of the Commission's jurisdiction and are not conducted as roadside enforcement in accordance with the provisions of the Oklahoma Weigh Station Act of 2012.

H. The Commission may enter into interagency cooperative agreements with other state or federal agencies to jointly enforce federal and state laws or rules.

I. North American Standard Inspections shall be conducted only by individuals holding certification in the level or classification of inspection being conducted.

SECTION 3. AMENDATORY 47 O.S. 2011, Section 14-116, as last amended by Section 2 of Enrolled Senate Bill No. 982 of the 2nd Session of the 55th Oklahoma Legislature, is amended to read as follows:

Section 14-116. A. The Commissioner of Public Safety shall charge a minimum permit fee of Forty Dollars (\$40.00) for any permit issued pursuant to the provisions of Section 14-101 et seq. of this title. In addition to the permit fee, the Commissioner shall charge a fee of Ten Dollars (\$10.00) for each thousand pounds in excess of the legal load limit. The Commissioner of Public Safety shall establish any necessary rules for collecting the fees.

B. The Department of Public Safety is authorized to establish an escrow account system for the payment of permit fees. Authorized motor carriers meeting established credit requirements may participate in the escrow account system for permits purchased from all size and weight permit offices in this state. Carriers not choosing to participate in the escrow account system shall be required to make payment of the required fee or fees upon purchase of each permit as required by law. All monies collected through the escrow account system shall be deposited to a special account of the Department of Public Safety and placed in the custody of the State Treasurer. Proceeds from permits purchased using the escrow account system shall be distributed as provided for in subsection H of this section. However, fees collected through such accounts for the electronic transmission, transfer or delivery of permits, as provided for in Section 14-118 of this title, shall be credited to the Department of Public Safety Restricted Revolving Fund.

C. 1. Application for permits shall be made a reasonable time in advance of the expected time of movement of such vehicles. For emergencies affecting the health or safety of persons or a community, permits may be issued for immediate movement.

2. Size and weight permit offices in all districts where applicable shall issue permits to authorize carriers by telephone during weekdays.

D. No overweight permit shall be valid until all license taxes due the State of Oklahoma have been paid.

E. No permit violation shall be deemed to have occurred when an oversize or overweight movement is made pursuant to a permit whose stated weight or size exceeds the actual load.

F. Any permit issued for a truck or truck-tractor operating in combination with a trailer or a semitrailer shall contain only the license plate number for the truck or truck-tractor if the permittee provides to the Department a list containing the license plate number, and such other information as the Department may prescribe by rule, for each trailer or semitrailer which may be used for movement with the permit. When the permittee provides the list described in this subsection, the license plate number for any trailer or semitrailer to be moved with the permit shall not be included on the permit; provided, a trailer or semitrailer which is not on the list shall not be authorized to be used for movement with the permit. It shall be the responsibility of the permittee to ensure the list provided to the Department is maintained and updated with any fleet changes. The Department shall adopt any rules deemed necessary to administer the provisions of this subsection.

G. The first deliverer of motor vehicles designated truck carriers or well service carriers manufactured in Oklahoma shall not be required to purchase an overweight permit when being delivered to the first purchaser.

H. Except as provided in Section 14-122 of this title, the first One Million Two Hundred Sixteen Thousand Dollars (\$1,216,000.00) of proceeds from both the permit fees and the overweight permit fees imposed pursuant to subsection A of this section collected monthly shall be apportioned as provided in Section 1104 of this title. All For the fiscal year beginning July 1, 2016, and ending June 30, 2017, the next Two Million One Hundred Fifty Thousand Dollars (\$2,150,000.00) of proceeds from both the permit fees and the overweight permit fees imposed pursuant to subsection A of this section collected monthly shall be remitted to the Department of Public Safety for the purpose of training the Department of Public Safety port of entry officers whose powers and duties shall be specified by the Department of Public Safety through

the promulgation of rules. For the fiscal year beginning July 1, 2017, and all subsequent years, the next One Million Five Hundred Thousand Dollars (\$1,500,000.00) of proceeds from both the permit fees and the overweight permit fees imposed pursuant to subsection A of this section collected monthly shall be remitted to the Department of Public Safety for the purpose of staffing the port of entry weigh stations with Department of Public Safety port of entry officers whose powers and duties shall be specified by the Department of Public Safety through the promulgation of rules. For the fiscal year beginning July 1, 2016, and ending June 30, 2017, all proceeds collected from both the permit fees and the overweight permit fees imposed pursuant to subsection A of this section in excess of One Million Two Hundred Sixteen Thousand Dollars (\$1,216,000.00) Three Million Three Hundred Sixty-six Thousand Dollars (\$3,366,000.00) shall be deposited in the Weigh Station Improvement Revolving Fund as provided in Section 1167 of this title for the purpose set forth in that section and may be used for motor carrier permitting systems and motor carrier safety and enforcement. For the fiscal year beginning July 1, 2017, and all subsequent years, all proceeds collected from both the permit fees and the overweight permit fees imposed pursuant to subsection A of this section in excess of Two Million Seven Hundred Sixteen Thousand Dollars (\$2,716,000.00) shall be deposited in the Weigh Station Improvement Revolving Fund as provided in Section 1167 of this title for the purpose set forth in that section and may be used for motor carrier permitting systems and motor carrier safety and enforcement.

SECTION 4. This act shall become effective July 1, 2016.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 26th day of May, 2016.

Edna Fiedler
Presiding Officer of the Senate

Passed the House of Representatives the 27th day of May, 2016.

Lee R. Thompson
Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 27th
day of May, 20 16, at 5:57 o'clock P M.
By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 6th
day of June, 20 16, at 3:55 o'clock P M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 6th
day of June, 20 16, at 4:53 o'clock P. M.
By: Chris Benze

An Act

ENROLLED SENATE
BILL NO. 1318

By: Stanislawski of the Senate

and

Osborn of the House

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 1106, which relates to revocation of title; adding authority to revoke or suspend certain license plates; amending 47 O.S. 2011, Section 1120, which relates to proportional registration; removing certain mileage reporting standard; modifying certain fleet registration credit; eliminating certain fee and apportionment; amending Section 3, Chapter 262, O.S.L. 2012 (47 O.S. Supp. 2015, Section 1202), which relates to the operation of weigh stations; modifying certain radii of enforcement based on criteria; providing an effective date; and declaring an emergency.

SUBJECT: Motor vehicles

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2011, Section 1106, is amended to read as follows:

Section 1106. A. 1. If the Oklahoma Tax Commission shall determine at any time that an applicant for a certificate of title of a vehicle is not entitled thereto, it may refuse to issue such certificate or to register such vehicle.

2. The Oklahoma Tax Commission may for a similar reason, after ten (10) days' notice and a hearing, revoke the registration and the certificate of title already acquired on any outstanding certificate of title. Said notice may be served in person or by registered mail.

B. 1. The Oklahoma Tax Commission may refuse registration and issuance of a certificate of title of a commercial motor vehicle, or any transfer of title and registration of a commercial motor vehicle, to a commercial motor carrier whose ability to operate has been terminated or denied by a federal agency.

2. The Oklahoma Tax Commission may revoke the registration, certificate of title, and license plate of a commercial motor vehicle if the vehicle has been assigned to be operated by a commercial motor carrier whose ability to operate has been terminated or denied by a federal agency.

C. The Corporation Commission may revoke, suspend or deny registration of and/or issuance of license plates for a commercial motor vehicle licensed pursuant to the jurisdiction of the Corporation Commission and whose ability to operate has been terminated or denied by a state or federal agency.

SECTION 2. AMENDATORY 47 O.S. 2011, Section 1120, is amended to read as follows:

Section 1120. A. The Corporation Commission may, when in the interest of the State of Oklahoma and its residents, enter into the International Registration Plan or other compacts or agreements with other states to permit motor vehicle registration and license taxes on any truck, bus, or truck-tractor on a proportional basis commensurate with the use of Oklahoma highways. Proportional registration under such plans may be permitted for vehicles engaged in interstate commerce or combined interstate and intrastate commerce. Any action taken by the Oklahoma Tax Commission with respect to the International Registration Plan or other such compacts or agreements prior to July 1, 2004, shall remain in effect unless altered by the Corporation Commission pursuant to its authority to do so after the effective date of this act.

B. The Corporation Commission shall require that such proportional registration be based on the percentage of miles actually operated by such vehicles or fleets of vehicles in the State of Oklahoma in the reporting period in proportion to the total fleet miles operated both within and without Oklahoma. ~~If the registrant did not incur mileage for at least ninety (90) days of the reporting period, the Corporation Commission may accept the mileage from the preceding mileage reporting period.~~ If the registrant did not incur mileage during the preceding reporting period, the registrant shall estimate pay fees for its future operations in accordance with the International Registration Plan. Such percentage figure, so determined by the Corporation Commission, shall be the Oklahoma mileage factor. In computing the taxes under the foregoing formula, the Corporation Commission shall first compute the license fees for the entire fleet and then multiply the amount by the Oklahoma mileage factor on a dollar basis.

C. Upon receipt of the Oklahoma license and registration tax, which shall be paid by cash and/or certified funds, as computed under the provisions of the Oklahoma Vehicle License and Registration Act, the Corporation Commission shall register all such fleet vehicles, and shall issue a license plate, cab card or decal for each of such vehicles identifying it as part of an interstate fleet. The Corporation Commission may, upon satisfactory review of the payment history of an applicant, waive the requirement for payment in cash or certified funds.

D. Vehicles so registered on a prorated basis shall be considered fully licensed in Oklahoma and shall be exempt from all further registration or license fees under the provisions of the Oklahoma Vehicle License and Registration Act; provided that such fleet vehicles are proportionally licensed in some other state, territory or possession of the United States or some foreign province, state or country with which the Corporation Commission has entered into a prorationing compact or agreement.

If a vehicle is permanently withdrawn from a proportionally registered fleet and a replacement vehicle is added to the fleet in the same calendar month, the replacement vehicle shall be considered fully registered as provided in Section 1133 of this title and Section 14-109 of this title, if the replacement vehicle is registered for a weight equal to or less than the vehicle

permanently withdrawn, or if additional registration fees are paid when the replacement vehicle is registered for a weight greater than the vehicle withdrawn. If a vehicle is permanently withdrawn from a proportionally registered fleet and is not replaced by another vehicle in the same calendar month, credit shall be allowed as otherwise provided in this section.

E. Vehicles subsequently added to a proportionally registered fleet after commencement of the registration year shall be proportionally registered by applying the mileage percentage used in the original application for such fleet for such registration period to the regular registration fees due with respect to such vehicle for the remainder of the registration year.

F. If a vehicle is permanently withdrawn from a proportionally registered fleet because it has been destroyed, sold or otherwise completely removed from service, credit shall be allowed. Such credit shall be a sum equal to the amount paid with respect to such vehicle when it was first proportionally registered in the registration year, reduced by those months elapsing since the beginning of the registration year. The credit may be applied against subsequent additions to the fleet, with the exception of vehicles removed from a renewal fleet and later added back to the same fleet, to be prorated or for other additional registration fees assessed. In no event shall credit be allowed for fees beyond such registration year, nor shall any such amount be subject to refund. Provided, further, that vehicles removed from a prorated fleet or sold to a nonprorated fleet for operation in Oklahoma shall be registered in Oklahoma for the remaining portion of the year.

~~G. Mileage proportions for interstate fleets not operated in this state during the preceding year will be determined by the Corporation Commission on the basis of the operations of the fleet the preceding year in other states plus the estimated operation in Oklahoma, or, if no operations were conducted the previous year, a full statement of the proposed method of operation. In the absence of a full statement of the proposed method of operation, the Corporation Commission shall require the applicant to utilize an estimated mileage chart provided by the Corporation Commission.~~

~~H.~~ The records of total mileage operated in all states upon which the application is made for a period of three (3) years

following the year upon which the application is based shall be preserved. Upon request of the Corporation Commission, such records shall be made available for audit as to accuracy of computation and payments. The Corporation Commission may enter into agreements with agencies of other states administering motor vehicle registration laws for joint audits of any such records.

~~I.~~ H. The Corporation Commission may enter into compacts or agreements with other states or other countries or subdivisions of such countries allowing reciprocal privileges to vehicles based in such other states and operating in interstate commerce if the vehicles are properly registered therein.

~~J.~~ I. Interchanged vehicles properly registered in another state may be granted reciprocal privileges when engaged in a continuous movement in interstate commerce, but must register in this state if used in intrastate commerce.

~~K.~~ J. In addition to those taxes or fees imposed by the Oklahoma Vehicle License and Registration Act, the same or substantially the same type or category of tax or fee may be imposed upon an out-of-state resident as is imposed upon residents of Oklahoma for the same or substantially similar use of a vehicle in such other state in the amount, or approximate total amount, of any fee or tax, including property, motor fuel, excise, sales, use or mileage tax required by the laws of such other state to be paid by a resident of this state making the same or similar use of a like vehicle in such state.

The Corporation Commission shall have the authority to promulgate rules which provide procedures for implementation of comparable regulatory fees and taxes for vehicles used in this state by residents of other states.

Any revenue derived from this subsection shall be apportioned in the same manner as provided in Section 1104 of this title.

It is the intention of the Legislature that the motor vehicle registration and licensing fees assessed against residents of other states operating similar vehicles in Oklahoma be comparably the same as the motor vehicle registration and licensing fees assessed against residents of Oklahoma operating a similar vehicle for a

similar purpose in such other state; and that the Corporation Commission diligently monitor the motor vehicle registration and licensing fees assessed against residents of Oklahoma by other states and to provide for uniform treatment of Oklahoma residents operating vehicles in other states and for residents of other states operating vehicles in Oklahoma.

~~L. The Corporation Commission shall assess a fee of Three Dollars (\$3.00) to process an amended registration filed under the International Registration Plan to add a jurisdiction to an existing registration under the plan. The collection and payment of the fee shall be a prerequisite to amending the registration. All revenue derived pursuant to the provisions of this subsection shall be apportioned and distributed as provided for in Section 1104 of this title.~~

SECTION 3. AMENDATORY Section 3, Chapter 262, O.S.L. 2012 (47 O.S. Supp. 2015, Section 1202), is amended to read as follows:

Section 1202. A. The Department of Transportation, the Oklahoma Turnpike Authority and the Corporation Commission may enter into interagency agreements concerning the equipment, maintenance and operations of fixed facilities.

B. The Department of Transportation, the Authority and the Commission shall endeavor to electronically upgrade weigh stations as practical to minimize the duplication of inspections for compliant commercial motor vehicles and motor carriers.

C. The Commission shall operate all current and future ports of entry weigh stations twenty-four (24) hours a day and seven (7) days a week upon the availability of funds.

D. The Commission shall continue to conduct roadside enforcement in the general area where a fixed facility is planned but no fixed facility currently exists until a fixed facility is located in the general area or July 1, 2016, whichever is earlier.

E. When a fixed facility is located in the general area, Commission motor carrier and commercial motor vehicle enforcement shall be limited to the fixed facility and a ~~seven-mile~~ radius of

surrounding the facility. If the fixed facility is a weigh station as defined in Section 1201 of this title, the applicable radius shall be seven (7) miles. If the fixed facility is a port of entry weigh station as defined in Section 1201 of this title, the applicable radius shall be twenty-five (25) miles.

F. The Commission may assist in roadside enforcement in a joint effort at the request of the Oklahoma Highway Patrol.

G. The Commission is authorized to conduct audits, reviews, investigations, inspections or other enforcement actions by enforcement officers provided those activities are within the scope of the Commission's jurisdiction and are not conducted as roadside enforcement in accordance with the provisions of the Oklahoma Weigh Station Act of 2012.

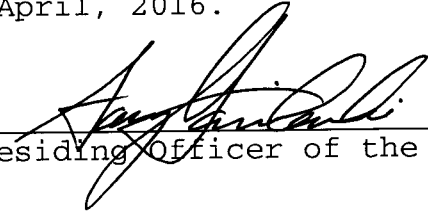
H. The Commission may enter into interagency cooperative agreements with other state or federal agencies to jointly enforce federal and state laws or rules.

I. North American Standard Inspections shall be conducted only by individuals holding certification in the level or classification of inspection being conducted.

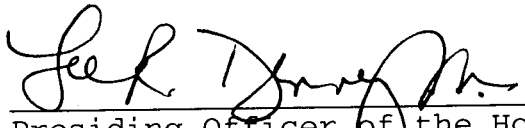
SECTION 4. This act shall become effective July 1, 2016.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 27th day of April, 2016.


Presiding Officer of the Senate

Passed the House of Representatives the 13th day of April, 2016.


Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

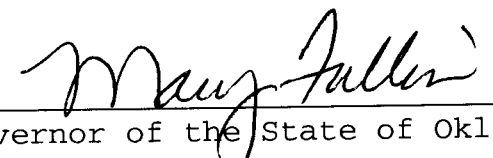
Received by the Office of the Governor this 28th

day of April, 20 16, at 12:01 o'clock P M.

By: Audrey Lockwell

Approved by the Governor of the State of Oklahoma this 4th

day of May, 20 16, at 4:35 o'clock P M.


Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 4th

day of May, 20 16, at 4:40 o'clock P. M.

By: Chris Benze

An Act

ENROLLED HOUSE
BILL NO. 2325

By: Sanders of the House

and

Schulz of the Senate

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 230.15, which relates to administrative penalties for motor carriers; prohibiting adoption of certain rules related to intrastate commerce; and declaring an emergency.

SUBJECT: Motor carriers

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2011, Section 230.15, is amended to read as follows:

Section 230.15 A. Whenever the Department of Public Safety has determined that any person who is regulated as a motor carrier pursuant to Sections 166 through 180m of this title has violated any provision of the Oklahoma Motor Carrier Safety and Hazardous Materials Transportation Act or any rule promulgated thereto, the Department of Public Safety shall report such violations to the Corporation Commission for the purposes of determining if such person has violated any provisions of the permit or certificate issued by the Commission pursuant to any provision of Sections 166 through 180m of this title or of any rule promulgated thereto.

B. Every motor carrier subject to this section shall maintain liability and property damage insurance covering each motor vehicle operated by the motor carrier and file proof of that insurance with the Oklahoma Corporation Commission. The Commission shall set the amount of necessary insurance for the transportation of all commodities other than hazardous materials. The Commission may allow a motor carrier to meet its liability and property damage

insurance requirements through self-insurance if the motor carrier has adequate financial assets to assume liability and is in substantial compliance with all motor carrier safety regulations adopted by the Department. Any person who transports or who causes the transportation of any hazardous material shall be required to comply with the financial responsibility requirements specified by the federal motor carrier safety regulations and the hazardous materials regulations of the United States Department of Transportation provided that in no event shall the financial responsibility requirement exceed One Million Dollars (\$1,000,000.00) except as otherwise specifically required by federal law, or any federal rule or regulation promulgated thereto.

C. Any person who causes or requires any person subject to the provisions of the Oklahoma Motor Carrier Safety and Hazardous Materials Transportation Act to drive at a speed or carry a load in excess of those authorized by law pursuant to the Oklahoma Motor Carrier Safety and Hazardous Materials Transportation Act shall be subject to the administrative penalties pursuant to the provisions of this act.

D. In adopting rules pursuant to the provisions of this act, the Department of Public Safety shall establish limitations on driving hours for motor vehicles subject thereto that are consistent with the hours of service requirements adopted by the United States Department of Transportation in the applicable part of Title 49 of the Code of Federal Regulations, as those regulations now exist or are hereafter amended. Driving hours and on-duty status shall not begin following less than eight (8) consecutive hours off duty. Drivers shall be regulated from the time a driver first reports for duty for any employer. The rules adopted pursuant to this section shall establish the following ~~exception~~ exceptions:

1. The maximum driving time within a work period is twelve (12) hours if the vehicle is engaged solely in intrastate commerce and is not transporting hazardous materials as defined by regulations of the United States Department of Transportation in the applicable section of Title 49 of the Code of Federal Regulations, as that section now exists or is hereafter amended; except in the event of an emergency and upon notification of the nearest Oklahoma Highway Patrol troop headquarters of the Department of Public Safety, the Commissioner or his designated agent shall declare an emergency and there shall be no hour restrictions for rural electric cooperatives, public utilities, public service corporations or municipal employees as long as an emergency exists for providing service to restore

heat, light, power, water, telephone or other emergency restoration facilities that are necessary to ensure the health, welfare and safety of the public; and

2. No rule shall be adopted that enforces the provisions of 49 CFR Section 395.3(a)(3)(ii) relating to rest breaks, if the driver or motor carrier is engaged solely in intrastate commerce.

E. Except as provided in subsection F of this section, any regulation relating to motor carrier safety or to the transportation of hazardous materials adopted by a local government, authority, or state agency or office shall be consistent with corresponding federal regulations. To the extent of any conflict between said regulations and rules adopted by the Department of Public Safety under this section, rules adopted by the Department shall control.

F. 1. Amendments to the hours of service regulations promulgated on April 28, 2003, by the United States Department of Transportation at Section 22456 of Volume 68 of the Federal Register and effective June 27, 2003, shall not apply to utility service vehicles as defined in Section 395.2 of Title 49 of the Code of Federal Regulations, not including television cable or community antenna service vehicles, which are owned or operated by utilities regulated by the Corporation Commission or electric cooperatives and which are engaged solely in intrastate commerce in this state until June 27, 2006, provided the amendments are valid and remain in effect as of that date. Hours of service regulations, which are applicable in this state immediately prior to June 27, 2003, shall remain applicable to utility service vehicles engaged solely in intrastate commerce in this state until June 27, 2006. If the United States Department of Transportation issues an official finding that this provision may result in the loss of federal Motor Carrier Safety Assistance Program funding, the Department of Public Safety may promulgate rules providing for earlier implementation of the amendments to the federal hours of service regulations. If federal law or regulations are amended at any time to exempt utility service vehicles from the hours of service requirements, any exemption shall be effective in this state immediately for the duration of the federal exemption.

2. The Department of Public Safety may promulgate rules suspending the effective date for up to three (3) years after the adoption of any motor carrier safety regulation by the United States Department of Transportation as applied to vehicles engaged solely in intrastate commerce in this state if the suspension does not


result in the loss of federal Motor Carrier Safety Assistance Program funding.

3. The Department of Public Safety may enter into agreements with state and local emergency management agencies and private parties establishing procedures for complying with Section 31502(e) of Title 49 of the United States Code and federal regulations promulgated at Section 390.23 of Title 49 of the Code of Federal Regulations, which provide an exemption from the hours of service regulations during certain emergencies.

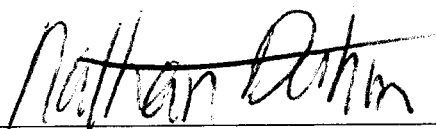
4. The Department of Public Safety may promulgate rules granting any waiver, variance, or exemption permitted under Section 31104(h) of Title 49 of the United States Code and federal regulations promulgated at Sections 350.339, 350.341, 350.343 and 350.345 of Title 49 of the Code of Federal Regulations if the waiver, variance, or exemption does not result in the loss of federal Motor Carrier Safety Assistance Program funding and does not take effect unless approved by the United States Department of Transportation, if approval is required.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 3rd day of March, 2016.


Presiding Officer of the House
of Representatives

Passed the Senate the 20th day of April, 2016.


Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 21st
day of April, 2016, at 4:49 o'clock P M.
By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 26th
day of April, 2016, at 2:02 o'clock P M.


Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 26th
day of April, 2016, at 3:24 o'clock P M.
By: Chin Bunge