

# **VIRGINIA**

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

**Date of Approval: Jan 12, 2017**

**Final CVSP**

## Basic and Incentive Program Overview

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

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

#### **Instructions:**

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

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

The Virginia State Police, independent yet supportive of other law enforcement agencies, will provide the high quality, statewide law enforcement services to the people of Virginia and our visitors. The Motor Carrier Safety Section will support this mission with emphasis on commercial motor vehicle safety.

The mission and goals of the Department is to provide to the Commonwealth of Virginia a responsive, coordinated composite statewide police department, independent yet supportive of other law enforcement agencies, to preserve law and order; to enforce criminal, traffic, and regulatory laws; to meet goals and objectives of the Department; and to provide security and safety services in the most efficient and effective manner.

The Department of State Police is the lead agency for the Motor Carrier Safety Assistance Program (MCSAP) in Virginia. The Department of State Police is responsible for the enforcement of, and compliance with, the MCSAP guidelines in the Commonwealth of Virginia. It is the mission of this agency to reduce the number of fatal and injury related crashes on Virginia's highways by the effective and fair regulations of the commercial motor carrier industry and to raise awareness of the general public about sharing the roads safely with commercial motor vehicles; to assist the Federal Motor Carrier Safety Administration with their goal of maintaining CMV fatal crashes to no more than 0.114 per one hundred million vehicle miles traveled in CY 2017 from a baseline of 0.184 fatalities per 100 million VMT in CY 2005.

In addition, the Department of State police will continue to identify high risk carriers, drivers, vehicles, and highways within the Commonwealth of Virginia.

**There have been no new regulations or policy changes.**

## 2 - Basic and Incentive Program Structure

### Instructions:

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

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

The Department of State Police is the lead agency and has been involved in the MCSAP since 1986.

We were the first state police or highway patrol organization in the country to be trained in FMCSR at the Transportation Safety Institute in 1978. We maintained a motor carrier safety enforcement program since, and expanded the program with the advent of MCSAP. The program is located in our Safety Division, which is comprised of the Motor Carrier Safety Section and Motor Vehicle Inspection Section. Currently, there are 66 sworn positions in the Motor Carrier Safety Section; of which 34 sworn positions and 5 support staff are MCSAP funded. The Virginia State Police funds the remainder of the program. All Troopers in this section are fully trained in the NTC courses for FMCSR, FHMR, and Cargo Tank, Other Bulk Packaging, and some in Passenger Vehicle Inspection.

The Department of State Police currently has 57 full time Motor Carrier Safety Troopers, 1 Lieutenant, 1 First Sergeant, and 7 Sergeants certified to conduct Level I, Hazardous Materials, Cargo Tank, and Other Bulk Package inspections. Of this group, 7 Troopers and 2 Sergeants are certified to conduct Level I & V passenger vehicle inspections. There are 15 Troopers certified to conduct Level VI inspections. We have 2 troopers which are FMCSA, National Training Center (NTC) Associate Staff instructors. There is 1 trooper assigned to Compliance Reviews as assigned by the FMCSA Field Division Office.

The MSCAP program is located in the Virginia State Police, Bureau of Field Operations, Safety Division, Motor Carrier Safety Section. The Safety Division is one of 8 field divisions and the only division which is statewide. At times, this presents challenges due to distances between the various field offices and Headquarters located in Richmond. Supervisors are located in each geographic area to minimize this problem.

All Motor Carrier Safety personnel have basic, and in some cases, advanced training in DUI/DUID enforcement, alcohol detection, and measuring equipment, recognizing impaired drivers and controlled substance interdiction activities. The Department of State Police uses special interdictions teams and our Motor Carrier Troopers frequently work with them.

Wireless capabilities from police vehicles, allow inspectors to upload inspections from roadside, using Query Central, access CDLIS, and A&I systems. This assists with the enforcement of registration requirements, motor carrier out-of-service and/or operating authority status, suspended / disqualified drivers, and wanted persons.

As a State Police organization with full police powers, criminal and traffic, we can effectively participate in all national program elements.

Virginia currently has 49 local police agencies with approximately 121 officers involved in motor carrier enforcement. A few years ago, the General Assembly removed any restrictions on who may participate in motor carrier enforcement. Annual in-service training is provided by the Department of State Police. There is no overall management on data collection for these local agencies. Each local agency operates independently. The Department of State Police has recognized this problem, but limited resources (personnel and funding) prevent any action beyond the in-service training.

The Virginia Department of Motor Vehicles (DMV) handles all PRISM related activities and is a sub-grantee of the 2017 MCSAP grant application.

**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:**

**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:**

**Basic and Incentive Program Effectiveness Summary - Past Performance**

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

**1 - State Fatality Reduction Trend Analysis: 2011 - 2015**

**Instructions:**

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

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

**Goal measurement as defined by your State:** Large Truck Fatal Crashes per 100M VMT

State Defined Measurement Period (Include 5 Periods)		Fatalities	Goal As Expressed In CVSP (State Defined Measurement)	Outcome (As It Relates To The Goal Column)
Begin Date	End Date	Number of Lives		Indicate Actual Outcome
01/01/2014	12/31/2014	96	0.1140	0.12
01/01/2013	12/31/2013	95	0.1140	0.12
01/01/2012	12/31/2012	88	0.1140	0.11
01/01/2011	12/31/2011	90	0.1210	0.11
01/01/2010	12/31/2010	81	0.1650	0.10

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

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

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

\*\*VMI rate for CY2015 is not available

Virginia State Police continues to strive to maintain the FMCSA goal of CMV fatal crashes to no more than 0.114 per one hundred million vehicle miles traveled for CY2017. The VMI rate for the Commonwealth of Virginia has maintained a 0.11 fatality rate since FY 2008.

The Motor Carrier program covers all areas of CMV safety, which has made a positive impact this past year. In-service training was conducted for all roadside inspectors in the Spring of 2016 which covered the North American Inspection Procedures, regulation updates, and changes to the CVSA Out-of-Service Criteria.

The Department anticipates no problem in meeting our match funding requirements. The Motor Carrier Safety Section is an integral part of the State Police. The program receives support directly and indirectly from the Bureau of Field Operations, Bureau of Administration and Support Services, and the Bureau of Criminal Investigations all with the State Police. The Motor Carrier Section often requests and receives assistance from other specialties. The Commonwealth of Virginia has budget constraints but the MCSAP program is fully supported.

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

**Instructions:**

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

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

**Goal measurement as defined by your State:** Actual # Fatalities

State Defined Measurement Period (Include 5 Periods)		Fatalities	Goal As Expressed In CVSP (State Defined Measurement)	Outcome (As It Relates To The Goal Column)
Begin Date	End Date	Number of Lives		Indicate Actual Outcome
01/01/2016	12/31/2016	2	0	2
01/01/2015	12/31/2015	5	0	5
01/01/2014	12/31/2014	7	0	7
01/01/2013	12/31/2013	6	0	6
01/01/2012	12/31/2012	4	0	4

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

ai.fmcsa.dot.gov/crashstatistics/rptsummary; CVSP Toolkit July 22, 2016

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

Passenger carriers present a unique interest for Law Enforcement and the public. Due to the high number of occupants in a single vehicle, each time there is a crash or safety issue it is closely followed. The safe conveyance of the large amount of occupants is paramount to Law Enforcement and the public. The Commonwealth of Virginia is committed to ensuring the passenger carriers operating in the Commonwealth are safe and meet all the current regulations.

In FY2015, there were 450 Passenger Carrier crashes in the Commonwealth of Virginia. The table below shows the trend over the past five years.

Virginia Passenger Vehicle Crashes	2012	2013	2014	2015	2016*
Fatal and Non-Fatal Crashes (MCMIS)	471	469	462	450	122
Fatal Crashes (MCMIS)	4	6	7	5	2
Non-Fatal Crashes (MCMIS)	467	463	455	445	120
Injury Crashes (MCMIS)	432	446	439	487	141

\* As of 7/22/2016

The Department of State Police will explore the possibilities of conducting inspections at high volume tourist locations such as Busch Gardens, Kings Dominion, Luray Caverns, etc. Bus ramps will be used at these locations. Buses will not be inspected with passengers on board during these inspections.



Virginia State Police will participate in any FMCSA national passenger vehicle inspection project, strike force, or passenger vehicle operation; assist FMCSA with focusing on the motorcoach industry providing curbside intercity scheduled service.

Virginia State Police has a undercover Passenger Carrier enforcement vehicle. This vehicle will be placed in each of the Seven Areas of the state on a monthly basis. The Area will be required to assign a Trooper each week to use the vehicle. Strict traffic enforcement of passenger carriers will be stressed.

**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 # Fatalities

State Defined Measurement Period (Include 5 Periods)		Fatalities	Goal As Expressed In CVSP (State Defined Measurement)	Outcome (As It Relates To The Goal Column)
Begin Date	End Date	Number of Lives		Indicate Actual Outcome
01/01/2015	12/31/2015	0	0	0
01/01/2014	12/31/2014	0	0	0
01/01/2013	12/31/2013	1	12	1
10/01/2011	09/30/2012	1	11	1
10/01/2010	09/30/2011	0	12	0

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

USDOT/PHMSA Hazmat intelligence portal; [hip/phmsa.dot.gov/analyticsSOAP](http://hip/phmsa.dot.gov/analyticsSOAP)

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

Hazardous materials present special consideration due to the potential for catastrophic results due to a crash, container breach, accident, or incident. In CY2015, there were 15,118 National highway incidents involving hazardous materials in the United States, 186 (.54%) of these incidents occurred in Virginia. The chart below shows the trend of highway incidents in Virginia over the past five years.

Calendar Year	Police reported incidents	Non-Police reported incidents	Total Number of VA Incidents	Percentage of Police reported incidents	Number of National Incidents	Overall Percentage Incidents in Virginia
2011	3	177	180	1.67%	12,809	1.41%
2012	5	195	200	2.50%	13,169	1.52%
2013	1	200	201	0.50%	16,040	1.25%
2014	2	213	215	0.93%	15,282	1.41%
2015	1	185	186	0.54%	15,118	1.23%

USDOT/PHMSA Hazmat Intelligence Portal:

<https://hip.phmsa.dot.gov/analyticsSOAP/saw.dll?Dashboard>

Hazardous materials incidents by highway account for 86.63% of all HM incidents over the past 10 years. (144,653 of 166,966)

incidents)

USDOT/PHMSA Hazmat Intelligence Portal: <https://hip.phmsa.dot.gov/analyticsSOAP/saw.dll?Dashboard>

Bulk packages accounted for 12,577 of the HM highway incidents and non-bulk packages accounted for 132,076 of the HM incidents over the past 10 years. Bulk packages are a major concern because of the total quantity of hazardous materials contained in the package. However non-bulk packages accounted for 79.10% of the total highway incidents.

USDOT/PHMSA Hazmat Intelligence Portal:  
<https://hip.phmsa.dot.gov/analytics/saw.dll?Dashboard>

Flammable and Combustible liquids account for 53.15% of all highway incidents and corrosive materials account for 31.42%.

USDOT/PHMSA Hazmat Intelligence Portal:  
<https://hip.phmsa.dot.gov/analyticsSOAP/saw.dll?Dashboard>

Virginia State Police will continue to work towards reducing the number of hazardous materials highway reportable incidents by conducting focused hazardous material roadside inspections of interstate and intrastate carriers.

Virginia State Police will continue to support FMCSA by conducting inspections on bulk packages (cargo tanks), and feature this type of inspection at Road Check. The Department will participate in any FMCSA cargo tank strike force projects by conducting Level I and V inspections as requested. The Department will continue to conduct post crash and HM incident investigations as requested by VSP Field Divisions. The Department will coordinate with the emergency response community on responses to crashes and incidents involving hazardous materials. Identify probable cause when possible and make recommendations to carriers and shippers on the prevention of such incidents

Each Safety Division field area will conduct a least one focused hazardous material inspection project per month with a minimum of one inspector. These 84 inspection projects will use 1344 inspection hours and should result in approximately 375 hazardous material inspections.

Data from these inspections will be collected on the Data Collection Form at the end of this section and reported monthly by the seven field areas for inclusion the CVSP quarterly report. These special projects will focus on Flammable/Combustible liquids and Corrosive materials in both bulk and non-bulk packages. Attention will also be directed to enforcement of 49 CFR Part 385, Hazardous Materials Safety Permit (HMSP).

Motor Carrier Safety supervisors will submit to the MCSAP Administrator, by the tenth day of each month, the results of the special hazardous materials projects. The MCSAP Administrator will review the monthly reports and include statistics in the FMCSA/CVSP quarterly report. Monthly review of the Pipeline and Hazardous Material Safety Administration (PHMSA) HM Incident Information System will be reviewed for trends.

**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		
01/01/2016	09/23/2016	4792	5118
01/01/2015	12/31/2015	5142	5599
01/01/2014	12/31/2014	2926	3353
01/01/2013	12/31/2013	3073	3545
01/01/2012	12/31/2012	5392	6484

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

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

State Defined Measurement Period (Include 5 Periods)		Number Of Non-CMV Traffic Enforcement Stops	Number of Citations and Warnings Issued
Begin Date	End Date		
01/01/2015	12/31/2015	4945	4945
01/01/2014	12/31/2014	3296	3296
01/01/2013	12/31/2013	3013	3013
01/01/2012	12/31/2012	3162	3162
01/01/2011	12/31/2011	5213	5213

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

Virginia State Police Mapper Software; FMCSA A&I Table was updated. 10/07/216.

**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:**

Motor Carrier personnel conducted education, awareness, and outreach during FY2016 through safety presentations at motor carrier businesses, CDL training schools, and job fair events.

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

150 safety programs

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

218 Safety programs were conducted.

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

An education and outreach program is an effective tool in reducing crashes. Awareness of sound driving practices in and around CMVs is a message that must continue to be shared with all drivers. We are always looking for new approaches to expand our public education. The Virginia State Police works closely with the Virginia Department of Motor Vehicles, trucking associations, trade organizations, motor coach industry and the Federal Motor Carrier Safety Administration to increase safety awareness practices. Troopers conduct safety programs and informational presentations. Educate all parties involved through media and local outreach in the latest information available in regards to highway safety, defensive driving, and other strategies to increase safety awareness and decrease traffic crashes. Design safety programs initiatives which involve power point presentation, handouts, and question/answer sessions to inform each group in the most effective way possible. The Department will continue to provide judges for the Virginia Trucking Association, Virginia Propane Association, and others as requested. Emphasis on driver behavior in and around large trucks. Also, stress the importance of seatbelt usage; the dangers of cell phone usage and texting while driving.

## 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.**

CMV HM Transportation Safety

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

Reduce number of reportable HazMat material incidents by 2%

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

Increase of .043% in FY 2016

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

Driver inattention is the main cause of the increase of incidents whether CMV or non-Cmv involvement. Most Hazmat incidents in the Commonwealth of Virginia are non-police reportable. Continued education for carriers and drivers will assist with decrease of Hazmat incidents.

#### Activity #2

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

Passenger Transportation Safety

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

Decrease crashes by 1% from 471 to 465

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

Passenger Carrier crashes actual trend shows reduction yearly and reduced to 450 in FY 2015. (2%) See Sec 2.2 for table.

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

Increase Passenger Carrier inspections; Train additional MCSAP troopers to a Level 5 certification.

#### Activity #3

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

CMV Safety Data Quality

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

"Green" rating in all categories

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

Maintained "Green" rating

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

Maintained "Green" rating for FY 2016

**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:**

For CY 2017, the Virginia State Police will partner with FMCSA to reduce crashes through ongoing activities required for participation which reduce the total number of CMV crashes on Virginia highways to help FMCSA reach their goal of reducing the rate of large truck and bus related fatalities to no more than 0.114 per 100 million vehicle miles (VMT) by CY2017 from a baseline rate of 0.184 per million VMT in 2005.

Summary of Large Truck and Bus Crash Involvement

	CY2012		CY 2013		CY 2014		CY 2015		CY 2016	
	VA	% of Nat'l	VA	% of Nat'l	VA	% of Nat'l	VA	% of Nat'l	VA	% of Nat'l
Fatal Crash	101	2.3	108	2.4	107	2.4	87	1.9	12	1.3
Non-Fatal	3765	2.8	3949	2.7	4218	2.6	4184	2.5	1115	2.7
Total	3866	2.8	4057	2.7	4325	2.6	4271	2.5	1127	2.7

**Enter Data Source Capture Date:**

**Enter Data Source:**

CVSP Toolkit July 22, 2016, VA-State Data Summary 03/31/2016.

**Enter Crash Reduction Goal**

Crash Reduction Goal: 1% of 4271 crashes in CY 2015 to 4228 in CY 2016; reduce fatalities from 87 in CY 2015 to 86 in CY 2016.

**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.**

Virginia State Police Motor Carrier Troopers will conduct CMV inspections at fixed facilities, roadside locations, and traffic enforcement inspections with a primary focus on CMV moving violations leading to Level III inspections.

Virginia State Police will use wireless capabilities from police vehicles, which allow troopers to use Query Central, access CDLIS and A&I systems in assisting with the enforcement of registration requirements, motor carrier out-of-service and/or operating authority status, suspended / disqualified drivers, and wanted persons.

Virginia State Police will conduct special enforcement/inspection projects utilizing RADAR/LIDAR and other observation techniques to identify probable cause to initiate traffic stops and inspections on CMVs. Inspections projects will be conducted in areas where crashes are known to happen and enforcement efforts will focus on driver behavior know to cause crashes. Supervisors will develop a "TACT" like plan for their area of responsibility.

Virginia State Police will ensure Motor Carrier Safety Troopers are aware of the:

The Large Truck Crash Causation Study

<http://www.fmcsa.dot.gov/facts-research/LTBCF2009/LargeTruckandBusCrashFacts2009.aspx>

Motor Carrier Safety Troopers will also participate in quarterly concentrated enforcement projects know as "Air, Land, and Speed" involving departmental aircraft to assist in violator observation and speed monitoring. They will also participate on the peak travel days in C.A.R.E. (Combined Accident Reduction Effort) conducted on the four major Holidays.

Virginia State Police will be participating in the national traffic campaign "Drive to Save Lives" to reduce traffic deaths by 15 percent in CY 2016 within the Commonwealth; and to improve safety on the highways. The focus will be on use of seat-belts and speeding; and targets impaired and distracted driving. The campaign also includes enforcement action against the unsafe driving behaviors of the operators of large trucks and buses.

The enforcement of 49 CFR 392.80 prohibiting texting and 49 CFR 392.82 using hand-held mobile devices while operating a CMV will be stressed.

**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.**

Virginia State Police Motor Carrier Safety field division will conduct a Level III enforcement/inspection project involving all Motor Carrier Troopers available once a week. These projects will provide high-visibility enforcement campaign to reduce unsafe driving behaviors among drivers of passenger and commercial motor vehicles.



Approximately 5224 staff hours with 57 Troopers will be used to conduct over 364 special enforcement projects. It is projected to result in 1% crash reduction.

MCSAP troopers will continue to conduct safety programs educating carriers and drivers in safe CMV driving practices.

Virginia State Police Motor Carrier Supervisors will be responsible for tracking the number of inspections and summonses issued weekly during these special enforcement projects. Weekly activities will be recorded on the "Special Project" form. Supervisors will review the report(s) at the end of each project. Supervisors will also analyze CMV involved crashes, analyze all additional data, and change enforcement strategies as necessary. Supervisors will report by the tenth day of each month their area's Special Project(s) enforcement effort for the prior month to the MCSAP Administrator.

See attached CMV project form

**2 - State Safety Data Quality and Information Systems Objective**

**Instructions:**

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

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

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

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

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

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

**Enter the date of the A&I Online data snapshot used for the “Current SSDQ Rating” column:**  
 CVSP Toolkit, July 22, 2016

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

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

Data Sources:

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

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

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

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

Maintain "Green" status in all areas of Data Quality through weekly monitoring.

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**3 - Passenger Carrier Enforcement****Instructions:**

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

**Check this box if:**

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

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**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..**

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**5 - Hazardous Materials Transportation Safety****Instructions:**

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

**Check this box if:**

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

## 6 - State-Identified Objective (Optional)

### Instructions:

*Describe any other identified State-specific objectives.*

#### State Objective #1

**Enter the title of your State-Identified Objective.**

All State specific goals and efforts are addressed in Driver/Vehicle inspections, Traffic Enforcement, Passenger Carrier inspections, and Hazmat.

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

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

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

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

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

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

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

## Basic & Incentive Enforcement Activities

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

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

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

#### Instructions for Overview:

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

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

There are 13 fixed weigh stations and 4 VDOT stations throughout the Commonwealth. Sixty-Four (64) Motor Carrier personnel perform Level I, II, III inspections at these fixed weigh stations weekly. Also, special CVSA concentrated checks are held at various fixed weigh stations.

The Virginia State Police will conduct special enforcement/inspection projects utilizing RADAR/LIDAR and other observation techniques to identify probable cause to initiate traffic enforcement stops and inspections on CMVs. Inspection projects will be conducted in areas where crashes are known to happen and enforcement efforts will focus on driver behavior known to cause crashes. Supervisors will develop a "TACT" like plan for their area of responsibility.

Motor Carrier personnel are located within seven (7) geographical areas across the state. This ensures adequate enforcement and response to requests for service from our department member, local agencies, and citizens.

Due to budget constraints, the Motor Carrier Unit is unable to increase its manpower, so overtime funding will be utilized to help achieve our overall inspection goals and to assist in reducing CMV involved crashes.

Virginia currently has 49 local police agencies with approximately 121 officers involved in motor carrier enforcement.

#### 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:** VIRGINIA STATE POLICE

**Enter the total number of certified officers in the Lead agency:** 89

FY 2017 Driver/Vehicle Inspection Goals					
Inspection Level	Estimated Performance Goal				Percentage by Level
	Non-Hazmat	Hazmat	Passenger	Total	
Level 1	14429	1731	44	16204	49.10%
Level 2	4926	684		5610	17.00%
Level 3	10511	379		10890	33.00%
Level 4				0	0.00%
Level 5			296	296	0.90%
Level 6				0	0.00%
<b>Sub-Total Lead Agency</b>	<b>29866</b>	<b>2794</b>	<b>340</b>	<b>33000</b>	

**Funded Agencies**

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

**Enter the name of the Funded Agency:**

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

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

**Non-Funded Agencies**

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

**Summary**

Total FY 2017 Driver/Vehicle Inspection Goals For Lead, Funded and Non-Funded Agencies					
<b>MCSAP Lead Agency: VIRGINIA STATE POLICE</b>					
<b># certified officers: 89</b>					
<b>Funded Agencies:</b>					
<b># certified officers: 0</b>					
<b>Number of Non-Funded Agencies:</b>					
<b># certified officers:</b>					
	Estimated Performance Goal				
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1	14429	1731	44	16204	49.10%
Level 2	4926	684		5610	17.00%
Level 3	10511	379		10890	33.00%
Level 4				0	0.00%
Level 5			296	296	0.90%
Level 6				0	0.00%
<b>Total ALL Agencies</b>	<b>29866</b>	<b>2794</b>	<b>340</b>	<b>33000</b>	

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

**2 - Traffic Enforcement**

**Instructions:**

*Describe the State's level of effort (number of personnel/FTE) it proposes to use for implementation of a statewide CMV (in conjunction with and without an inspection) and/or non-CMV traffic enforcement program. If the State conducts CMV and/or non-CMV traffic enforcement activities only in support of the overall crash reduction goal, describe how the State allocates traffic enforcement resources (i.e., number of officers, times of day and days of the week, specific corridors or general activity zones, etc.). Traffic Enforcement activities should include officers who are not assigned to a dedicated Commercial Vehicle Enforcement unit but conduct commercial vehicle/driver enforcement activities. If the State conducts non-CMV traffic enforcement activities, the State will conduct these activities in accordance with the MCSAP Comprehensive Policy.*

The Department's traffic enforcement activities are designed to reduce crashes by monitoring the actions of CMV drivers and non-CMV drivers in close proximity to CMV's. Attention will be focused on aggressive driving with the removal of unsafe CMVs and drivers from the highway, in an effort to promote overall highway safety, resulting in the reduction of crashes. The enforcement of 49 CFR 392.80 prohibiting texting and 49 CFR 392.82 using hand-held mobile devices while operating a CMV will be stressed. The Department of State Police currently has 66 full-time Motor Carrier troopers who conduct daily and special enforcement assignments. There are also, 25 patrol troopers who maintain Level II certification. Supervisors determine areas of assignment based on statistical data.

Currently the only traffic enforcement non-CMV is under the High Priority Grant.

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	4100
<input type="radio"/>	<input checked="" type="radio"/>	CMV without Inspection	
<input type="radio"/>	<input checked="" type="radio"/>	Non-CMV	
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	200

**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.**

Resource allocations are based on data analysis, trends, and findings in crashes and inspections. Motor Carrier Supervisors will monitor these areas, identify possible solutions and develop plans; request special funding from the MCSAP Administrator to implement such plans. Special projects and concentrated checks are scheduled in areas that have been identified as high crash or high risk. Non-CMV traffic enforcement is also scheduled in the same manner. Virginia State Police will conduct special enforcement/inspection projects utilizing RADAR/LIDAR and other observation techniques to identify probable cause to initiate traffic stops and inspections on CMVs. Inspections projects will be conducted in areas where crashes are known to happen and enforcement efforts will focus on driver behavior known to cause crashes. Supervisors will develop a "TACT" like plan for their area of responsibility. Motor Carrier Safety Troopers will also participate in quarterly concentrated enforcement projects known as "Air, Land, and Speed" involving departmental aircraft to assist in violator observation and speed monitoring of CMV and non-CMV. Motor Carrier Safety Troopers will also participate on the peak travel days in C.A.R.E. (Combined Accident Reduction Effort) conducted on the four major Holidays. These are Commonwealth of Virginia initiatives held on the 4 major interstates (I-81, I-85, I-64, I-95). The Motor Carrier troopers monitor and enforce the Federal Regulations pertaining to CMV drivers and removal of any unsafe drivers from the highways. Overtime funding will be utilized to assist in conducting special projects and increasing our overall roadside inspection numbers.

**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**

Virginia State Police Motor Carrier must be assessed to ensure compliance with the Federal Motor Carrier Safety Regulations. Virginia State Police will conduct compliance interventions as assigned by the FMCSA Division Federal Program Manager. There is 1 trained compliance intervention Motor Carrier trooper. The trained Trooper will conduct at least 6 compliance reviews annually, maintain certification, and attend any required training (including Compliance, Safety and Accountability (CSA)). The trained Troopers will stay current with any regulatory changes and FMCSA procedures.

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

The Virginia State Police Motor Carrier will conduct a minimum of 6 compliance reviews in FY2017 as assigned by FMCSA Division Federal Program Manager.

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

The certified Compliance Intervention Trooper will maintain certification by conducting at least 6 compliance interventions, attend any required training, and be knowledgeable about new regulations or procedures.

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

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

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

FY 2017 Carrier Investigation Goals		
Review/Investigation Type	Interstate Goals	Intrastate Goals
<b>Rated and Non-rated Reviews (Excludes CSA &amp; SCRs)</b>		
Non-HM Cargo		
Passenger		
HM		
<b>Rated and Non-rated Reviews (Excludes CSA &amp; SCRs) Total</b>	<b>0</b>	<b>0</b>
<b>CSA Off-Site Investigations</b>		
Non-HM Cargo CSA Off-Site		
Passenger CSA Off-Site		
HM CSA Off-Site		
<b>CSA Off-Site Investigations Sub-total</b>	<b>0</b>	<b>0</b>
<b>CSA On-Site Focused Investigations</b>		
Non-HM Cargo CSA On-Site Focused	0	
Passenger CSA On-Site Focused		
HM CSA On-Site Focused	1	
<b>CSA On-Site Focused Investigations Sub-total</b>	<b>1</b>	<b>0</b>
<b>CSA On-Site Comprehensive</b>		
Non-HM Cargo CSA On-Site Comprehensive	1	
Passenger CSA On-Site Comprehensive		
HM CSA On-Site Comprehensive	4	
<b>CSA On-Site Comprehensive Sub-total</b>	<b>5</b>	<b>0</b>
<b>CSA Investigations (all Types) Total</b>	<b>6</b>	<b>0</b>
<b>HM-Related Review Types</b>		
Security Contact Reviews (SCRs)	0	
Cargo Tank Facility Reviews		
Shipper Reviews	0	
<b>HM-Related Review Types Total</b>	<b>0</b>	<b>0</b>
<b>ALL REVIEW TYPES GRAND TOTAL</b>	<b>6</b>	<b>0</b>

**Add additional information as necessary to describe the carrier investigation estimates:**  
 FMCSA Divisional Federal Program Manager assigns the Carrier Interventions.



**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-CMVV 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 Virginia State Police will continue to work closely with the Virginia Department of Motor Vehicles, trucking associations, trade organizations, motor coach industry and the Federal Motor Carrier Safety Administration to increase safety awareness practices. Troopers will conduct safety programs and informational presentations.

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	101
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	9
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	15
<input checked="" type="radio"/>	<input type="radio"/>	State-sponsored outreach events	4
<input checked="" type="radio"/>	<input type="radio"/>	Local educational safety events	14
<input checked="" type="radio"/>	<input type="radio"/>	Teen safety events	7

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

The Virginia State Police will continue to educate all parties involved through media and local outreach in the latest information available in regards to highway safety, defensive driving, and other strategies to increase safety awareness and decrease traffic crashes. Virginia State Police will continue to educate drivers, both passenger vehicle and commercial motor vehicle, through media and local outreach in the latest information available in regards to highway safety, defensive driving, and other strategies to increase safety awareness and decrease traffic crashes. The Department’s continued participation in “Operation Safe Driver”, “Roadcheck”, “Operation Safe Student”, and “Click it or Ticket” will also further educate carriers and drivers in safe operating practices. The Virginia State Police design safety programs initiatives which involve power point presentation, handouts, and question/answer sessions to inform each group in the most effective way possible. The Department will continue to provide judges for the Virginia Trucking Association, Virginia Propane Association, DriveSmart, Drivesafe, and others as requested.

**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 Virginia State police will conduct a minimum of 150 safety programs with emphasis on driver behavior in and around large trucks. Also, stress the importance of seatbelt usage; the dangers of cellphone usage and texting while driving.

<b>New Entrant</b>
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<b>1 - New Entrant Focus Area</b>
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**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:**

Virginia State Police

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

The Commonwealth of Virginia continues to improve the safety performance of new commercial motor vehicle by performing New Entrant Safety audits in accordance with 49 CFR 385, subpart D.

The Virginia State Police will process and complete New Entrant audits within the statutory time limits, as well as provide education and technical assistance to the carriers.

Virginia State Police New Entrant Safety Assurance Program proposes to conduct 800 New Entrant safety audits by utilizing 9 wage New Entrant safety auditors. These audits will be conducted within 12 months for commercial motor vehicles and 120 days for motor coach and passenger carriers coming into the system.

**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.**



Description	Number
Number of <i>Safety Audits</i> conducted On-site:	50
Number Safety Audits conducted Off-site	750
Number of Inspections to Maintain Certification Total:	288
<i>Number of Driver/Vehicle Inspections Consistent with the MCSAP Comprehensive Policy:</i>	32

In addition to the above table the Virginia State Police New Entrant program will perform one group audit during the year.

**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.**

New Entrant auditors provide completed audits and monthly reports to the First Sergeant and Grant Administrator. All completed audits are uploaded into MCMIS within forty-eight (48) hours.

The Program Support Tech coordinates first contact and any necessary follow-up with the New Entrant carriers. The process has increased the number of contacts and/or follow/ups monthly; it also enables the auditors to increase the number of New Entrant safety audits completed. Auitors were trained and began conducting off-site audits in spring 2016 and will continue to conduct off-site audits when appropriate.

Monthly and quarterly statics are verified by the First Sergeant and Program Support Tech, and then forwarded to Grant Manager.

|

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

Summary of Anticipated Activities		
Number of Safety Audits/Non-Audit Resolutions	Interstate	Intrastate
# of Safety Audits (Onsite)	50	0
# of Safety Audits (Offsite)	700	0
<b>TOTAL Safety Audits</b>	<b>750</b>	<b>0</b>
# of Non-Audit Resolutions	100	0

## Spending Plan

### **B&I Spending Plan**

#### **What is a Spending Plan?**

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

#### **What does a Spending Plan do?**

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

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

*The spending plan serves a number of critical functions:*

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

**1 - Spending Plan: Personnel**

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

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

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

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

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

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

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

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

**Allowable amount for Overtime (15% of total award amount without justification): \$1,157,754.00**

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
Sergeants	2	100	2080	\$50.62	\$210,579.20	\$178,992.32	\$31,586.88	\$0.00
Secretaries	1	100	2080	\$24.50	\$50,960.00	\$43,316.00	\$7,644.00	\$0.00
Program Support Tech	1	100	2080	\$28.02	\$58,281.60	\$49,539.36	\$8,742.24	\$0.00
1st Sergeant	1	50	2080	\$41.88	\$43,555.20	\$37,021.92	\$6,533.28	\$0.00
Agency Analyst Senior	1	80	2080	\$27.48	\$45,726.72	\$38,867.72	\$6,859.00	\$0.00
Troopers	31	100	2080	\$48.65	\$3,136,952.00	\$2,666,409.20	\$470,542.80	\$1,557,707.33
<b>Sub-Total Salary</b>					<b>\$3,546,054.72</b>	<b>\$3,014,146.52</b>	<b>\$531,908.20</b>	<b>\$1,557,707.33</b>
Overtime Information								
Overtime	31	100	17	\$66.00	\$34,782.00	\$29,564.70	\$5,217.30	\$0.00
<b>Sub-Total Overtime</b>					<b>\$34,782.00</b>	<b>\$29,564.70</b>	<b>\$5,217.30</b>	<b>\$0.00</b>
<b>TOTAL PERSONNEL</b>					<b>\$3,580,836.72</b>	<b>\$3,043,711.22</b>	<b>\$537,125.50</b>	<b>\$1,557,707.33</b>

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

The total Federal cost for personnel expense requested is \$3,580,309.72. The breakdown is \$3,546,054.72 for salary and \$34,255 for overtime expenses which cannot be attributed to any one salary. It is for emergency call-outs and shift extensions. Overtime will also be utilized to increase traffic enforcement and roadside inspections.

The breakdown of personnel costs is for a total of 31 MCSAP troopers, 2 Sergeants, Administrative staff, pro-rated costs for the First Sergeant (50%) and Agency Analyst Sr. (80%).

Administrative staff and Agency Analyst ensure data entry and statistical reports are completed. The First Sergeant and Agency Analyst are pro-rated between MCSAP Basic and the New Entrant program.

The specific charges and overtime for each staff member will be included on the monthly voucher.

**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
Sergeants	50.41	\$210,538.00	\$106,132.21	\$90,212.38	\$15,919.83	\$0.00
Secretaries	45.88	\$51,002.00	\$23,399.72	\$19,889.76	\$3,509.96	\$0.00
Program Support Tech	41.83	\$58,240.00	\$24,361.79	\$20,707.52	\$3,654.27	\$0.00
1st Sergeant	56.93	\$43,556.00	\$24,796.43	\$21,076.97	\$3,719.46	\$0.00
Agency Analyst Senior	47.92	\$45,727.00	\$21,912.38	\$18,625.52	\$3,286.86	\$0.00
Troopers	49.48	\$3,136,952.00	\$1,552,163.85	\$1,319,339.27	\$232,824.58	\$0.00
<b>Sub-Total Fringe Benefits</b>			<b>\$1,752,766.38</b>	<b>\$1,489,851.42</b>	<b>\$262,914.96</b>	<b>\$0.00</b>

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

The total Federal cost of benefits is \$1,752,766.38. This includes retirement, FICA (7.65%), Group Insurance, Health Insurance, Disability and Deferred Comp. These benefits are based on an average of the people in each position.

The fringe benefits are regulated by the Department of Accounts-payroll and are mandated statewide.

Fringe benefits will be charged accordingly for each staff member on the monthly voucher.

They are based on an adverage of he people in each position.

Percentages on each category are as follows:

Retirement 0.1349

SSN 0.0756

Group Ins. 0.0131

Health Care 18756.0000

Retiree Credit 0.0118

Long Term Disability 0.0066

Def Comp Match 20.00

You take the persons salary and multiply by the percentage above.



**3 - Spending Plan: Travel**

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

Travel Cost Spending Plan Narrative						
Purpose	# of Staff	Days	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
CVSA ANNUAL CONFERENCE	4	5	\$10,000.00	\$8,500.00	\$1,500.00	\$0.00
NAIC CONFERENCE	1	3	\$2,500.00	\$2,125.00	\$375.00	\$0.00
CVSA WORKSHOP	4	5	\$10,000.00	\$8,500.00	\$1,500.00	\$0.00
COHMED	1	5	\$3,750.00	\$3,187.50	\$562.50	\$0.00
GRANT MGT TRAINING	2	3	\$3,000.00	\$2,550.00	\$450.00	\$0.00
MCSAP PLANNING SESSION	2	3	\$3,000.00	\$2,550.00	\$450.00	\$0.00
ANNUAL IN-SERVICE TRAINING	92	5	\$6,000.00	\$5,100.00	\$900.00	\$0.00
ROUTINE TRAVEL	5	10	\$2,500.00	\$2,125.00	\$375.00	\$0.00
OPERATION SAFETY REVIEW (AREA MEETING)	3	4	\$2,500.00	\$2,125.00	\$375.00	\$0.00
NAS TRAINING	13	16	\$5,000.00	\$4,250.00	\$750.00	\$0.00
			\$0.00	\$0.00	\$0.00	\$0.00
P-Tag	1	10	\$6,000.00	\$5,100.00	\$900.00	\$0.00
<b>Sub-Total Travel</b>			<b>\$54,250.00</b>	<b>\$46,112.50</b>	<b>\$8,137.50</b>	<b>\$0.00</b>

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

All conference expenses include registration, airfare, lodging and per diem. Many of the training courses are held at the Virginia State Police Academy, therefore cost is minimal. Routine travel is for unrelated costs to conferences or training incurred by staff. All travel and training is to maintain certifications and review of updated regulations for all Motor Carrier troopers.

Operations Safety Review is an annual staff meeting within each field division to ensure all Motor Carrier troopers are aware of Federal Regulation 49CFR, Hazmat OOS updates and changes.

Annual in-service for all Motor Carrier troopers and local police departments to review regulations and maintain certifications in accordance with Federal Motor Carrier Regulation 49CFR. The associated cost are for facility rental, lodging, and daily per diem.

Passenger Technical Advisory Group - P-Tag.

**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	1	\$35,000.00	\$35,000.00	\$29,750.00	\$5,250.00	\$0.00
			\$0.00	\$0.00	\$0.00	\$0.00
			\$0.00	\$0.00	\$0.00	\$0.00
<b>Sub-Total Equipment</b>			<b>\$35,000.00</b>	<b>\$29,750.00</b>	<b>\$5,250.00</b>	<b>\$0.00</b>

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

The Virginia State Police requires all vehicles to reach 150,000 miles prior to replacement. The replacement number requested is an estimate.

canopies will be bought through the lowest bidder and will be utilized during roadside inspection projects to provide a safe and secure environment for motorists and inspectors.

**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
Thermal paper	170	cases	\$73.75	\$12,537.50	\$10,656.88	\$1,880.62	\$0.00
Office Supplies	1	total	\$6,248.00	\$6,248.00	\$5,310.80	\$937.20	\$0.00
Postage	12	monthly	\$84.00	\$1,008.00	\$856.80	\$151.20	\$0.00
Pelican Led flashlights	25	each	\$25.00	\$625.00	\$531.25	\$93.75	\$0.00
Fast fit gloves	40	each	\$16.20	\$648.00	\$550.80	\$97.20	\$0.00
Collapsible Canopy	7	each	\$225.00	\$1,575.00	\$1,338.75	\$236.25	\$0.00
Monitor 28"	1	each	\$350.00	\$350.00	\$297.50	\$52.50	\$0.00
Collapsible Table	7	each	\$125.00	\$875.00	\$2,975.00	\$525.00	\$0.00
Traffic Cones (20")	100	each	\$20.00	\$2,000.00	\$1,700.00	\$300.00	\$0.00
<b>Sub-Total Supplies</b>				<b>\$25,866.50</b>	<b>\$24,217.78</b>	<b>\$4,273.72</b>	<b>\$0.00</b>

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

MCSAP troopers were issued a thermal printer for each vehicle. The printer is cost effective in the long term. All thermal printers are safely secured and mounted in each vehicle.

Postage is for the Compliance Reviews mailed to FMCSA and any Annual In-Service postage for certification of local police departments.

Flashlights and gloves are both replacement items and procured as needed.

**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
VITA monthly fee to maintain computers	\$6,750.00	\$5,737.50	\$1,012.50	\$0.00
Copier Service	\$2,340.00	\$1,989.00	\$351.00	\$0.00
Aircard Service (65)	\$35,578.00	\$30,241.30	\$5,336.70	\$0.00
Cellular Service (65)	\$35,100.00	\$29,835.00	\$5,265.00	\$0.00
Safety Net Server charge (VITA)	\$70,375.00	\$59,818.75	\$10,556.25	\$0.00
Annual laptop encryption	\$7,434.00	\$6,318.90	\$1,115.10	\$0.00
Copiers (7)	\$5,372.00	\$4,566.20	\$805.80	\$0.00
<b>Sub-Total Contractual</b>	<b>\$162,949.00</b>	<b>\$138,506.65</b>	<b>\$24,442.35</b>	<b>\$0.00</b>

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

The contractual costs are estimated and are recurring charges for internet, wireless, cellular, pager, copier and Safetynet server space. All services are necessary for the performance of the mission.

Lieutenant and First Sergeant are issued State Department Cellular phones.

DOA process fee is included in SWCAP. VITA fees are not included in indirect cost or SWCAP.

Laptop Encryption service and VITA service fees are mandated by contracts with VITA and the Commonwealth of Virginia.

**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	\$541,466.44	\$460,246.47	\$81,219.97	\$0.00

Other Costs Spending Plan Narrative							
Item Name	# of Units/Items	Unit of Measurement	Cost per Unit	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Extendo beds	1	3000	\$3,000.00	\$3,000.00	\$2,550.00	\$450.00	\$0.00
Dominator LED lights	1	each	\$837.50	\$837.50	\$711.88	\$125.62	\$0.00
CVSA Membership/Registration Fee	1	each	\$12,500.00	\$12,500.00	\$10,625.00	\$1,875.00	\$0.00
RADAR/LIDAR	5	each	\$3,125.00	\$15,625.00	\$13,281.25	\$2,343.75	\$0.00
Inner vehicle lights	1	each	\$1,000.00	\$1,000.00	\$850.00	\$150.00	\$0.00
Vehicle Lettering	1	each	\$368.75	\$368.75	\$313.44	\$55.31	\$0.00
CVSA decals	4	quarterly	\$1,875.00	\$7,500.00	\$6,375.00	\$1,125.00	\$0.00
Regulation Books	280	each	\$31.25	\$8,750.00	\$7,437.50	\$1,312.50	\$0.00
<b>Sub-Total Other Costs</b>				<b>\$49,581.25</b>	<b>\$42,144.07</b>	<b>\$7,437.18</b>	<b>\$0.00</b>

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

CVSA Decals are purchased quarterly; an average number is 5,357, at a cost of \$.28 each.

Purchase of updated regulations is a requirement for the MCSAP trooper to keep abreast of changes.

RADARs/LIDARs are requested for the roadside traffic enforcement in each area office.

The inner vehicle lights, lettering, extendo beds and Dominator LED lights are used to equip new vehicles.

Indirect Cost: The indirect cost rate for the 2017 has currently not been approved. The 2016 indirect cost rate of 9.56% will be applied until the new rate is approved.

**8 - Spending Plan**

**Instructions:**

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

<b>ESTIMATED Fiscal Year Funding Amounts for MCSAP</b>			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$6,560,604.00	\$1,157,754.00	\$7,718,358.00

Allowable amount for Overtime (15% of total award amount without justification): \$1,157,754.00  
 Maximum amount for Non-CMV Traffic Enforcement (10% of Basic funding amount): \$557,872.00

<b>Personnel (Payroll Costs)</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Sergeants	\$178,992.32	\$31,586.88	\$210,579.20	\$0.00
Secretaries	\$43,316.00	\$7,644.00	\$50,960.00	\$0.00
Program Support Tech	\$49,539.36	\$8,742.24	\$58,281.60	\$0.00
1st Sergeant	\$37,021.92	\$6,533.28	\$43,555.20	\$0.00
Agency Analyst Senior	\$38,867.72	\$6,859.00	\$45,726.72	\$0.00
Troopers	\$2,666,409.20	\$470,542.80	\$3,136,952.00	\$1,557,707.33
Overtime	\$29,564.70	\$5,217.30	\$34,782.00	\$0.00
<b>Subtotal for Personnel</b>	<b>\$3,043,711.22</b>	<b>\$537,125.50</b>	<b>\$3,580,836.72</b>	<b>\$1,557,707.33</b>

<b>Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.)</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Sergeants	\$90,212.38	\$15,919.83	\$106,132.21	\$0.00
Secretaries	\$19,889.76	\$3,509.96	\$23,399.72	\$0.00
Program Support Tech	\$20,707.52	\$3,654.27	\$24,361.79	\$0.00
1st Sergeant	\$21,076.97	\$3,719.46	\$24,796.43	\$0.00
Agency Analyst Senior	\$18,625.52	\$3,286.86	\$21,912.38	\$0.00
Troopers	\$1,319,339.27	\$232,824.58	\$1,552,163.85	\$0.00
<b>Subtotal for Fringe Benefits</b>	<b>\$1,489,851.42</b>	<b>\$262,914.96</b>	<b>\$1,752,766.38</b>	<b>\$0.00</b>

<b>Program Travel</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
CVSA ANNUAL CONFERENCE	\$8,500.00	\$1,500.00	\$10,000.00	\$0.00
NAIC CONFERENCE	\$2,125.00	\$375.00	\$2,500.00	\$0.00
CVSA WORKSHOP	\$8,500.00	\$1,500.00	\$10,000.00	\$0.00
COHMED	\$3,187.50	\$562.50	\$3,750.00	\$0.00
GRANT MGT TRAINING	\$2,550.00	\$450.00	\$3,000.00	\$0.00
MCSAP PLANNING SESSION	\$2,550.00	\$450.00	\$3,000.00	\$0.00
ANNUAL IN-SERVICE TRAINING	\$5,100.00	\$900.00	\$6,000.00	\$0.00
ROUTINE TRAVEL	\$2,125.00	\$375.00	\$2,500.00	\$0.00
OPERATION SAFETY REVIEW (AREA MEETING)	\$2,125.00	\$375.00	\$2,500.00	\$0.00
NAS TRAINING	\$4,250.00	\$750.00	\$5,000.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00
P-Tag	\$5,100.00	\$900.00	\$6,000.00	\$0.00
<b>Subtotal for Program Travel</b>	<b>\$46,112.50</b>	<b>\$8,137.50</b>	<b>\$54,250.00</b>	<b>\$0.00</b>

<b>Equipment</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Vehicles	\$29,750.00	\$5,250.00	\$35,000.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00
<b>Subtotal for Equipment</b>	<b>\$29,750.00</b>	<b>\$5,250.00</b>	<b>\$35,000.00</b>	<b>\$0.00</b>

<b>Supplies</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Thermal paper	\$10,656.88	\$1,880.62	\$12,537.50	\$0.00
Office Supplies	\$5,310.80	\$937.20	\$6,248.00	\$0.00
Postage	\$856.80	\$151.20	\$1,008.00	\$0.00
Pelican Led flashlights	\$531.25	\$93.75	\$625.00	\$0.00
Fast fit gloves	\$550.80	\$97.20	\$648.00	\$0.00
Collapsible Canopy	\$1,338.75	\$236.25	\$1,575.00	\$0.00
Monitor 28"	\$297.50	\$52.50	\$350.00	\$0.00
Collapsible Table	\$2,975.00	\$525.00	\$3,500.00	\$0.00
Traffic Cones (20")	\$1,700.00	\$300.00	\$2,000.00	\$0.00
<b>Subtotal for Supplies</b>	<b>\$24,217.78</b>	<b>\$4,273.72</b>	<b>\$28,491.50</b>	<b>\$0.00</b>

<b>Contractual (Subgrantees, Consultant Services, etc.)</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
VITA monthly fee to maintain computers	\$5,737.50	\$1,012.50	\$6,750.00	\$0.00
Copier Service	\$1,989.00	\$351.00	\$2,340.00	\$0.00
Aircard Service (65)	\$30,241.30	\$5,336.70	\$35,578.00	\$0.00
Cellular Service (65)	\$29,835.00	\$5,265.00	\$35,100.00	\$0.00
Safety Net Server charge (VITA)	\$59,818.75	\$10,556.25	\$70,375.00	\$0.00
Annual laptop encryption	\$6,318.90	\$1,115.10	\$7,434.00	\$0.00
Copiers (7)	\$4,566.20	\$805.80	\$5,372.00	\$0.00
<b>Subtotal for Contractual</b>	<b>\$138,506.65</b>	<b>\$24,442.35</b>	<b>\$162,949.00</b>	<b>\$0.00</b>

<b>Other Expenses</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Extendo beds	\$2,550.00	\$450.00	\$3,000.00	\$0.00
Dominator LED lights	\$711.88	\$125.62	\$837.50	\$0.00
CVSA Membership/Registration Fee	\$10,625.00	\$1,875.00	\$12,500.00	\$0.00
RADAR/LIDAR	\$13,281.25	\$2,343.75	\$15,625.00	\$0.00
Inner vehicle lights	\$850.00	\$150.00	\$1,000.00	\$0.00
Vehicle Lettering	\$313.44	\$55.31	\$368.75	\$0.00
CVSA decals	\$6,375.00	\$1,125.00	\$7,500.00	\$0.00
Regulation Books	\$7,437.50	\$1,312.50	\$8,750.00	\$0.00
<b>Subtotal for Other Expenses including Training &amp; Conferences</b>	<b>\$42,144.07</b>	<b>\$7,437.18</b>	<b>\$49,581.25</b>	<b>\$0.00</b>

<b>Total Costs</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
<b>Subtotal for Direct Costs</b>	<b>\$4,814,293.64</b>	<b>\$849,581.21</b>	<b>\$5,663,874.85</b>	<b>\$1,557,707.33</b>
Indirect Cost	\$460,246.47	\$81,219.97	\$541,466.44	\$0.00
<b>Total Costs Budgeted</b>	<b>\$5,274,540.11</b>	<b>\$930,801.18</b>	<b>\$6,205,341.29</b>	<b>\$1,557,707.33</b>



**Spending Plan (Sub-Grantee: DEPARTMENT OF MOTOR VEHICLES)****B&I Spending Plan****What is a Spending Plan?**

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

**What does a Spending Plan do?**

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

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

*The spending plan serves a number of critical functions:*

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

**1 - Spending Plan: Personnel**

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

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

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

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

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

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

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

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

**Allowable amount for Overtime (15% of total award amount without justification): \$1,157,754.00**

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
SADIP Data Quality Analyst	1	100	2080	\$24.04	\$50,003.20	\$42,500.00	\$7,500.00	\$0.00
<b>Sub-Total Salary</b>					<b>\$50,003.20</b>	<b>\$42,500.00</b>	<b>\$7,500.00</b>	<b>\$0.00</b>
Overtime Information								
Overtime		100	2080		\$0.00	\$0.00	\$0.00	\$0.00
<b>Sub-Total Overtime</b>					<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>TOTAL PERSONNEL</b>					<b>\$50,003.20</b>	<b>\$42,500.00</b>	<b>\$7,500.00</b>	<b>\$0.00</b>

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

**2 - Spending Plan: Fringe Benefits**

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

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

Fringe Benefits Spending Plan Narrative						
Position(s)	Fringe Benefit Rate	Base Amount	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Overtime			\$0.00	\$0.00	\$0.00	\$0.00
SADIP Data Quality Analyst	49.80	\$50,000.00	\$24,900.00	\$21,165.00	\$3,735.00	\$0.00
<b>Sub-Total Fringe Benefits</b>			<b>\$24,900.00</b>	<b>\$21,165.00</b>	<b>\$3,735.00</b>	<b>\$0.00</b>

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

The fringe benefits include costs for retirement, social security, disability, and life/health insurance. It is calculated on average benefits for a full-time employee. In this case, the fringe benefit rate is 49.8% of the employee's salary, which is \$50,000.

**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
<b>Sub-Total Travel</b>			<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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

**4 - Spending Plan: Equipment**

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

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

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

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

Equipment Cost Spending Plan Narrative						
Item Name	# of Items	Cost per Item	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
<b>Sub-Total Equipment</b>			<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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

**5 - Spending Plan: Supplies**

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

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

Supplies Cost Spending Plan Narrative							
Item Name	# of Units/Items	Unit of Measurement	Cost per Unit	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
<b>Sub-Total Supplies</b>				<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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

**6 - Spending Plan: Contractual**

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

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

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

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

<b>Contractual Cost Spending Plan Narrative</b>				
Description of Services	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
SADIP IT Contract Services	\$99,444.23	\$84,527.60	\$14,916.63	\$0.00
<b>Sub-Total Contractual</b>	<b>\$99,444.23</b>	<b>\$84,527.60</b>	<b>\$14,916.63</b>	<b>\$0.00</b>

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

Contractual staff is responsible for all system operations and maintenance to ensure that the data quality and quantity of data is maintained. IT staff will continue to work with VAHSO QC and Analysis staff, as well as external partners or operations and maintenance of daily processes to TREDIS to assist their efforts.

**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	E
Xerox VISTA-RS System PRISM Maintenance Fees	1	12 mo	\$45,000.00	\$45,000.00	\$38,250.00	\$6,750.00	
Xerox Preview (CVIEW) System Maintenance Fees	1	12 mo	\$67,500.00	\$67,500.00	\$57,375.00	\$10,125.00	
Xerox VISTA-RS (IRP) System CVISN Maintenance Fees	1	12 mo	\$45,129.00	\$45,129.00	\$38,359.65	\$6,769.35	
Xerox VISTA-TS (IFTA) System Maintenance Fees	1	12 mo	\$45,129.00	\$45,129.00	\$38,359.65	\$6,769.35	
IFTA Membership/Clearinghouse Fees and Dues	1	12 mo	\$17,000.00	\$17,000.00	\$14,450.00	\$2,550.00	
IRP Membership/Clearinghouse Fees and Dues	1	12 mo	\$31,600.00	\$31,600.00	\$26,860.00	\$4,740.00	
PrePass Membership Fees	1	12 mo	\$15,000.00	\$15,000.00	\$12,750.00	\$2,250.00	
WIM Maintenance Fees	1	12 mo	\$394,046.00	\$394,046.00	\$334,939.10	\$59,106.90	
DMV webCAT System Maintenance and Support	1	12 mo	\$50,000.00	\$50,000.00	\$42,500.00	\$7,500.00	
<b>Sub-Total Other Costs</b>				<b>\$710,404.00</b>	<b>\$603,843.40</b>	<b>\$106,560.60</b>	

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

The aforementioned are costs of operations and maintenance fees for the PRISM and CVISN programs and are necessary for the ongoing production and support of the systems.



**8 - Spending Plan**

**Instructions:**

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

<b>ESTIMATED Fiscal Year Funding Amounts for MCSAP</b>			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$6,560,604.00	\$1,157,754.00	\$7,718,358.00

Allowable amount for Overtime (15% of total award amount without justification): \$1,157,754.00  
 Maximum amount for Non-CMV Traffic Enforcement (10% of Basic funding amount): \$557,872.00

<b>Personnel (Payroll Costs)</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Overtime	\$0.00	\$0.00	\$0.00	\$0.00
SADIP Data Quality Analyst	\$42,500.00	\$7,500.00	\$50,000.00	\$0.00
<b>Subtotal for Personnel</b>	<b>\$42,500.00</b>	<b>\$7,500.00</b>	<b>\$50,000.00</b>	<b>\$0.00</b>

<b>Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.)</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Overtime	\$0.00	\$0.00	\$0.00	\$0.00
SADIP Data Quality Analyst	\$21,165.00	\$3,735.00	\$24,900.00	\$0.00
<b>Subtotal for Fringe Benefits</b>	<b>\$21,165.00</b>	<b>\$3,735.00</b>	<b>\$24,900.00</b>	<b>\$0.00</b>

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

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

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

<b>Contractual (Subgrantees, Consultant Services, etc.)</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
SADIP IT Contract Services	\$84,527.60	\$14,916.63	\$99,444.23	\$0.00
<b>Subtotal for Contractual</b>	<b>\$84,527.60</b>	<b>\$14,916.63</b>	<b>\$99,444.23</b>	<b>\$0.00</b>

<b>Other Expenses</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Xerox VISTA-RS System PRISM Maintenance Fees	\$38,250.00	\$6,750.00	\$45,000.00	\$0.00
Xerox Preview (CVIEW) System Maintenance Fees	\$57,375.00	\$10,125.00	\$67,500.00	\$0.00
Xerox VISTA-RS (IRP) System CVISN Maintenance Fees	\$38,359.65	\$6,769.35	\$45,129.00	\$0.00
Xerox VISTA-TS (IFTA) System Maintenance Fees	\$38,359.65	\$6,769.35	\$45,129.00	\$0.00
IFTA Membership/Clearinghouse Fees and Dues	\$14,450.00	\$2,550.00	\$17,000.00	\$0.00
IRP Membership/Clearinghouse Fees and Dues	\$26,860.00	\$4,740.00	\$31,600.00	\$0.00
PrePass Membership Fees	\$12,750.00	\$2,250.00	\$15,000.00	\$0.00
WIM Maintenance Fees	\$334,939.10	\$59,106.90	\$394,046.00	\$0.00
DMV webCAT System Maintenance and Support	\$42,500.00	\$7,500.00	\$50,000.00	\$0.00
<b>Subtotal for Other Expenses including Training &amp; Conferences</b>	<b>\$603,843.40</b>	<b>\$106,560.60</b>	<b>\$710,404.00</b>	<b>\$0.00</b>

<b>Total Costs</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
<b>Subtotal for Direct Costs</b>	<b>\$752,036.00</b>	<b>\$132,712.23</b>	<b>\$884,748.23</b>	<b>\$0.00</b>
<b>Total Costs Budgeted</b>	<b>\$752,036.00</b>	<b>\$132,712.23</b>	<b>\$884,748.23</b>	<b>\$0.00</b>

**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.*

<b>ESTIMATED Fiscal Year Funding Amounts for MCSAP</b>			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$6,560,604.00	\$1,157,754.00	\$7,718,358.00

<b>Cost Summary by Budget Category</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Personnel Total	\$3,426,748.22	\$604,720.50	\$4,031,468.72	\$1,557,707.33
Fringe Benefit Total	\$1,550,807.29	\$273,671.87	\$1,824,479.16	\$0.00
Program Travel Total	\$51,212.50	\$9,037.50	\$60,250.00	\$0.00
Equipment Total	\$51,000.00	\$9,000.00	\$60,000.00	\$0.00
Supplies Total	\$28,680.28	\$5,061.22	\$33,741.50	\$0.00
Contractual Total	\$262,053.50	\$46,244.73	\$308,298.23	\$0.00
Other Expenses Total	\$683,474.47	\$120,612.78	\$804,087.25	\$0.00
<b>Total Costs</b>				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Direct Costs	\$6,053,976.26	\$1,068,348.60	\$7,122,324.86	\$1,557,707.33
Indirect Costs	\$506,544.50	\$89,390.21	\$595,934.71	\$0.00
<b>Total Costs Budgeted</b>	<b>\$6,560,520</b>	<b>\$1,157,739</b>	<b>\$7,718,259</b>	<b>\$1,557,707</b>

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

## **Certification of MCSAP Conformance (State Certification)**

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

10. The State will ensure that CMV size and weight enforcement activities funded with MCSAP funds will not diminish the effectiveness of other CMV safety enforcement programs.
11. The State will ensure that violation sanctions imposed and collected by the State are consistent, effective, and equitable.
12. The State will (1) establish and dedicate sufficient resources to a program to provide FMCSA with accurate, complete, and timely reporting of motor carrier safety information that includes documenting the effects of the State's CMV safety programs; (2) participate in a national motor carrier safety data correction program (DataQs); (3) participate in appropriate FMCSA systems including information technology and data systems; and (4) ensure information is exchanged in a timely manner with other States.
13. The State will ensure that the CVSP, data collection, and information data systems are coordinated with the State highway safety improvement program under sec. 148(c) of title 23, U.S. Code. The name of the Governor's highway safety representative (or other authorized State official through whom coordination was accomplished) is Richard D. Holcomb, Commissioner of the Virginia Department of Motor Vehicles.
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 willfully participates in the performance and registration information systems management program under 49 U.S.C. §31106(b) not later than October 1, 2020, or demonstrates to FMCSA an alternative approach for identifying and immobilizing a motor carrier with serious safety deficiencies in a manner that provides an equivalent level of safety.
25. In the case of a State that shares a land border with another country, the State may conduct a border CMV safety program focusing on international commerce that includes enforcement and related projects or will forfeit all MCSAP funds based on border-related activities.
26. In the case that a State meets all MCSAP requirements and funds operation and maintenance costs associated with innovative technology deployment with MCSAP funds, the State agrees to comply with the requirements established in 49 CFR 350.319 and 350.329

Date 8-31-16  
Signature George L. Daniels Jr.

**REGULATORY COMPABILITY REVIEW**

An annual review of Virginia's State laws was conducted in June 2016 and it was determined that Virginia's adoption of the Federal Motor Carrier Safety Regulations and the Federal Hazardous Materials Regulations are compatible.

Signature: RCM Griffin, Captain

Date: 8-31-2016

**ANNUAL CERTIFICATION OF COMPATIBILITY**

In accordance with 49CFR. Parts 350.331, as Program Manager for the Department of State Police, I do hereby certify the Commonwealth of Virginia's compatibility with appropriate parts of the Federal Motor Carrier Safety Regulations (FMCSR) and the Federal Hazardous Materials Regulations (FHMR) as follows:

INTERSTATE MOTOR CARRIERS and INTRASTATE MOTOR CARRIERS

Signature: RCM Griffin, Captain

Date: 8-31-2016

**STATE UNITS OF GOVERNMENT  
INDIRECT COST NEGOTIATED AGREEMENT**

**Institution:** Virginia State Police  
P.O. Box 27472  
Richmond, VA 23261-7472

**Date:** July 31, 2015

**Filing Ref:** This document replaces the negotiated agreement dated December 29, 2014

**Subject:** The indirect cost rate(s) contained herein is for use in grants and contracts with the U. S. Department of Justice and other Federal agencies to which 2 CFR Part 225 (OMB Circular A-87) applies, subject to the limitations contained in Section II, of this agreement.

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**SECTION I: RATES**

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**Indirect Costs**

<u>Type</u>	<u>Effective Period</u>		<u>Rate</u>	<u>Locations</u>	<u>Applicable To</u>
	<u>From</u>	<u>To</u>			
Fixed (FCF)	07/01/01	06/30/02	6.63%	All	All Programs
Fixed (FCF)	07/01/02	06/30/03	7.59%	All	All Programs
Fixed (FCF)	07/01/03	06/30/04	8.69%	All	All Programs
Fixed (FCF)	07/01/04	06/30/05	8.81%	All	All Programs
Fixed (FCF)	07/01/05	06/30/06	8.08%	All	All Programs
Fixed (FCF)	07/01/06	06/30/07	8.45%	All	All Programs
Fixed (FCF)	07/01/07	06/30/08	8.77%	All	All Programs
Fixed (FCF)	07/01/08	06/30/09	9.84%	All	All Programs
Fixed (FCF)	07/01/09	06/30/10	10.07%	All	All Programs
Fixed (FCF)	07/01/10	06/30/11	9.84%	All	All Programs
Fixed (FCF)	07/01/11	06/30/12	10.29%	All	All Programs
Fixed (FCF)	07/01/12	06/30/13	9.60%	All	All Programs
Fixed (FCF)	07/01/13	06/30/14	8.50%	All	All Programs
Fixed (FCF)	07/01/14	06/30/15	8.56%	All	All Programs
Fixed (FCF)	07/01/15	06/30/16	9.56%	All	All Programs

**Base:** Total direct cost excluding capitalized equipment and pass-through funds, grants and contracts over \$25,000.

**Treatment of fringe Benefits:** Fringe benefits applicable to direct salaries and wages are treated as direct cost.



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## SECTION II: GENERAL

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- A. **LIMITATIONS:** Use of the rate(s) contained in this agreement is subject to any statutory or administrative limitations and is applicable to a given grant or contract only to the extent that funds are available. Acceptance of the rate(s) agreed to herein is predicated upon the conditions: (1) that no costs other than those incurred by the grantee/contractor via an approved Central Service Cost Allocation Plan were included in its indirect cost pool as finally accepted and that such incurred costs are legal obligations of the grantee/contractor and allowable under the governing cost principles; (2) that the same costs have been treated as indirect costs have not been claimed as direct costs; (3) that similar types of costs have been accorded consistent treatment; and (4) that the information provided by the grantee/contractor which was used as a basis for acceptance of the rate(s) agreed to herein is not subsequently found to be materially inaccurate.
- B. **AUDIT:** Adjustments to amounts resulting from audit of the cost allocation plan upon which the negotiation of this agreement was based will be compensated for in a subsequent negotiation.
- C. **ACCOUNTING CHANGES:** The rate(s) contained in this agreement are based on the accounting system in effect at the time the proposal was prepared and the agreement was negotiated. Changes to the method of accounting for costs which affect the amount of reimbursement resulting from the use of this rate(s) require the prior approval of the office responsible for negotiating the rate(s) on behalf of the Government. Such changes include but are not limited to changes in the charging of a particular type of costs from indirect to direct. Failure to obtain such approval may result in subsequent cost disallowance.
- D. **FIXED RATE(S):** The fixed rate(s) contained in this agreement is based upon an estimate of the costs which will be incurred during the period for which the rate applies. When the actual costs for such period have been determined, an adjustment will be made in a subsequent negotiation to compensate for the difference between that cost used to establish the fixed rate and that which would have been used were the actual costs known at the time.
- E. **NOTIFICATION TO FEDERAL AGENCIES:** Copies of this document may be provided to other Federal offices as a means of notifying them of the agreement contained herein.
- F. **SPECIAL REMARKS:** Federal programs currently reimbursing indirect costs to this Department/Agency by means other than the rate(s) cited in this agreement should be credited for such costs and the applicable rate cited herein applies to the appropriate base to identify the proper amount of indirect costs allocated to the program.

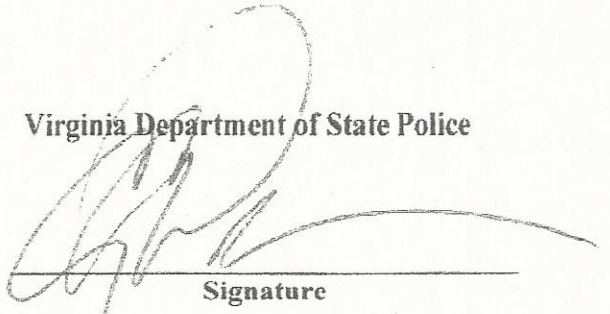
U. S. Department of Justice  
Office of Justice Programs

*R.B.*

Digitally signed by ROBERT D. BALZER  
DN: cn=ROBERT D. BALZER, o=OCFO,  
ou,email=robert.balzer@ojp.usdoj.gov,  
c=US  
Date: 2015.08.14 13:15:49 -0400

**Signature:** Robert Balzer, Supy. Staff Accountant  
Grants Financial Management Division

Virginia Department of State Police



**Signature**

*CRAG C. WORSHAM, CAPTAIN*  
**Name and Title (print or type)**  
*PROBATION AND SERVICE OFFICER*

*AUGUST 14, 2015*

**Date**

# VIRGINIA STATE POLICE



## Title VI Program Compliance Plan

2016

# TITLE VI PROGRAM COMPLIANCE PLAN

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## TITLE VI PROGRAM COMPLIANCE PLAN PURPOSE

The Virginia State Police Title VI Program Compliance Plan is prepared in accordance with 49 Code of Federal Regulation (CFR) Part 21, 49 CFR Part 303. This Plan provides interested individuals with specific information explaining Title VI Program activities by the Virginia State Police pertaining to training, monitoring and review processes, complaint procedures, and Title VI Program compliance.

The provisions of the Virginia State Police Title VI Program Compliance Plan apply to all recipients of Federal financial assistance with and through the Virginia State Police. A recipient includes any public or private entity or any individual receiving the benefits of any Federal Motor Carrier Safety Administration Program.

## TITLE VI PROGRAM POLICY STATEMENT AND DELEGATION OF AUTHORITY

Pursuant to the Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, 49 CFR Part 303, and the assurances set forth in the Virginia State Police's Title VI Program Compliance Plan, the Virginia State Police ensures that no person shall on the grounds of race, color, national origin, sex, age, disability, limited English proficiency, or low-income status be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Virginia State Police receives Federal financial assistance. Furthermore, every effort will be made to ensure non-discrimination in all of its programs and activities, whether federally funded or not. Virginia State Police grant sub-recipients must also comply with this policy.

Accordingly, to ensure compliance with Title VI of the Civil Rights Act and other related non-discrimination authorities, the Virginia State Police commits to:

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

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

In accordance with 49 CFR Part 21 and 49 CFR Part 303, VSP has procedures for prompt processing and disposition of Title VI complaints. Any person believing the Virginia State Police or any of its sub-recipients has violated Title VI Program requirements in the administration of its programs or activities may file a complaint with the Virginia State Police Professional Standards Unit.

Overall responsibility for this policy is assigned to the Superintendent of the Virginia State Police located at 7700 Midlothian Turnpike, North Chesterfield, Virginia 23235. The Human Resource Director is appointed as the Virginia State Police Title VI Program Coordinator and is responsible for ensuring that all matters relating to non-discrimination are administered effectively. Individuals with questions or requiring additional information relating to the policy or implementation of the Virginia State Police Title VI Program Compliance Plan should contact the Human Resource Director located at Virginia State

Police Headquarters, 7700 Midlothian Turnpike, North Chesterfield, VA 23235 or call (804) 674-2061.



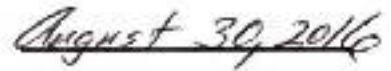
Colonel W. Steven Flaherty, Superintendent  
Superintendent



Date



Captain Jeffrey L. Baker, Human Resource Director  
Title VI Program Coordinator



Date

## THE UNITED STATES DEPARTMENT OF TRANSPORTATION

### TITLE VI / NON-DISCRIMINATION ASSURANCES

#### DOT Order No. 1050.2A

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

#### Statutory/Regulatory Authorities

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

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



Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their federally assisted programs and activities to which compliance is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898, 3 C.F.R. 859 (1995), entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in particular Title VI, to ensure non-discrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and FMCSA intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations.

See the following FHWA website for more information and facts about Environmental Justice: <http://www.fhwa.dot.gov/environment/ejustice/facts/index.htm>.

Additionally, Executive Order 13166, 3 C.F.R. 289 (2001) on Limited English Proficiency, according to the U.S. Department of Justice in its Policy Guidance Document dated August 16, 2000 (65 Fed. Reg. at 50123), clarifies the responsibilities associated with the "application of Title VI's prohibition on national origin discrimination when information is provided only in English to persons with limited English proficiency." When receiving Federal funds Recipients are expected to conduct a Four-Factor Analysis to prevent discrimination based on National Origin. (See also U.S. DOT's "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons," dated December 14, 2005, (70 Fed. Reg. at 74087 to 74100); the Guidance is a useful resource when performing a Four-Factor Analysis).

### **General Assurances**

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

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

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

## Specific Assurances

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

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations;
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with the FMCSA Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*"The Virginia State Police (VSP), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner's race, color, national origin, sex, age, disability, income-level, or LEP in consideration for an award."*

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations;
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient;
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith;
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property;
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

- a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
  - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
  - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

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

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

contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **FMCSA Program**.

The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Virginia State Police

\_\_\_\_\_  
*(Name of Recipient)*

by

*WST Flaherty*  
\_\_\_\_\_  
*(Signature of Authorized Official)*

Colonel W. Steven Flaherty  
Superintendent

Dated

*8/30/16*  
\_\_\_\_\_

## ASSURANCE APPENDIX A

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

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

6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FMCSA may direct as a means of enforcing such provisions including sanctions for non-compliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

## ASSURANCE APPENDIX B

### CLAUSES FOR DEEDS TRANSFERING UNITED STATES PROPERTY

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

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

#### (HABENDUM CLAUSE)

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

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

Department of Transportation and its assigns as such interest existed prior to this instruction.\*

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



## ASSURANCE APPENDIX C

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

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

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

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

## ASSURANCE APPENDIX D

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

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

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

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

## ASSURANCE APPENDIX E

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

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin), as implemented by 49 C.F.R. § 21.1 *et seq.* and 49 C.F.R. § 303;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (102 Stat. 28.), ("*...which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.*");
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36, and Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);

- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq), as implemented by 49 C.F.R. § 25.1 et seq.

## FEDERAL AID PROGRAMS

The Virginia State Police receives Federal funding from the following U.S. Department of Justice grant programs:

- Bureau of Justice Statistics - National Criminal History Improvement Program
- Office of Juvenile Justice and Delinquency Prevention - Internet Crimes Against Children Taskforce Program
- Bureau of Justice Statistics - National Instant Criminal Background Check System (NICS) Act Records Improvement Program
- COPS Office - Anti-Methamphetamine Program
- Bureau of Justice Assistance - Intellectual Property Enforcement Program
- COPS Office - Technology Program

In addition, the Virginia State Police receives the following sub-recipient Federal grant funding from the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA):

- Urban Area Security Initiative Program
- State Homeland Security Grant Program

Sub-recipient Federal grant funding is provided by the U.S. Department of Justice as follows:

- Bureau of Justice Assistance - Sex Offender Registration and Notification Act Program
- Bureau of Justice Assistance - Edward Byrne Memorial Justice Assistance Grant Program

The Virginia State Police Safety Division receives Federal funding through the Federal Motor Carrier Safety Administration (FMCSA) Motor Carrier Safety Assistance Program (MCSAP) to reduce the number and severity of crashes and hazardous materials incidents involving commercial motor vehicles (CMV). The goal of the MCSAP is to reduce CMV-involved crashes, fatalities, and injuries through consistent, uniform, and effective CMV safety programs. Investing grant monies in appropriate safety programs increases the likelihood that safety defects, driver deficiencies, and unsafe motor carrier practices are detected and corrected before they become contributing factors to crashes. Troopers assigned to the Motor Carrier Safety program regularly present lectures to the public and other interested groups on motor carrier safety and hazardous materials regulations. They also serve as instructors in criminal justice training academies.

The Motor Carrier Safety Unit's primary function is to perform roadside safety inspections for heavy trucks (i.e., a gross vehicle weight rating greater than 10,000 lbs.). A roadside safety inspection involves a comprehensive inspection of the vehicle to ensure that all equipment is working properly and the vehicle is safe to drive on the highway. It also involves an inspection of the operator credentials and shipping documents. A roadside safety inspection can be initiated by the trooper due to an observed violation of the law or inoperable equipment or can be initiated by the trooper simply to perform a safety

inspection. A secondary function of the unit is to perform motor carrier compliance reviews. These are extensive reviews that are in effect an audit of the carrier's operations to ensure compliance with the safety and record keeping regulations.

In 2011, the FMCSA conducted an analysis of the impact that traffic enforcement, roadside inspections, and compliance reviews have in Virginia. The FMCSA provides funds to Virginia State Police (among others) to help reduce commercial motor vehicle crashes and the resulting injuries and fatalities through MCSAP. According to the FMCSA analysis, the marginal benefit of adding one additional trooper to Virginia *"exclusively performing roadside inspections would be 4 crashes avoided, 2.6 injuries avoided, and .01 lives saved, representing \$2.6 million in savings."* The analysis states that the \$2.6 million in savings is a direct benefit of one additional trooper allocated to this unit. Additional indirect benefits, such as the deterrence factor of having a strong safety program and a quicker response time to incidents, (which decreases clearance time, thereby limiting congestion and minimizing secondary crashes) are not calculated in the FMCSA analysis.

## **NOTIFICATION TO BENEFICIARIES/PARTICIPANTS**

A Title VI Program Notice (Exhibit 1) has been developed and will be posted in all Virginia State Police office locations. To ensure that the Notice has been posted as required, a check will be conducted as part of the staff inspection process for each Division and Area Office. In addition, this Notice can be found on the Virginia State Police website on the "About Us" page and it is electronically posted in the Public Folders on the Virginia State Police intranet.

**EXHIBIT 1**

**TITLE VI PROGRAM NOTICE**



# VIRGINIA STATE POLICE

YOUR RIGHTS UNDER

## TITLE VI PROGRAM

### CIVIL RIGHTS ACT OF 1964 AND RELATED NON-DISCRIMINATION AUTHORITIES

The Virginia State Police provides equal opportunity in all programs that receive federal assistance. Facilities, programs, and services sponsored by the Virginia State Police are available to all eligible persons regardless of race, color, national origin, sex, age, disability, income-level, or limited English proficiency.

If you want more information regarding the Title VI Program or to file a complaint of discrimination, please use the contact information below.

La policía estatal de Virginia proporciona igualdad de oportunidades en todos los programas que reciben asistencia federal. Instalaciones, programas y servicios patrocinados por la policía estatal de Virginia están disponibles para todas las personas elegibles sin importar raza, color, origen nacional, sexo, edad, discapacidad, nivel de ingresos, o limitado dominio del inglés.

Si desea más información sobre el programa de VI título o para presentar una queja de discriminación, por favor use la in-



Virginia State Police  
7700 Midlothian Turnpike  
North Chesterfield, VA 23235  
804-674-2121  
[employment@vsp.virginia.gov](mailto:employment@vsp.virginia.gov)



## SUB-RECIPIENT COMPLIANCE MONITORING

The Virginia State Police is a recipient of Federal financial assistance. All recipients are required to comply with various non-discrimination laws, Executive Orders, and regulations, including Title VI of the Civil Rights Act of 1964. Sub-recipients are those persons or entities that directly receive Federal financial assistance to carry out a program or activity. The Virginia State Police and its sub-recipients of Federal financial assistance must ensure that all programs and activities are operated in a non-discriminatory manner. As a recipient of Federal financial assistance, sub-recipients must implement a system of procedures, actions and sanctions prohibiting discrimination. Key responsibilities of sub-recipients are indicated in the *Sub-Recipient Guide to Implementing Title VI of the Civil Rights Act of 1964 and Related Non-Discrimination Authorities* (Exhibit 2) and include the following:

- An obligation not to discriminate in its programs, activities or employment practices;
- An obligation to submit an assurance that its programs, activities and facilities will be operated in a non-discriminatory manner;
- An obligation to cooperate in obtaining voluntary compliance under Title VI;
- An obligation to provide public access to a defined complaint process and a complaint form, to maintain a complaint log, to refer complainants to the Virginia State Police when a complaint is against a Virginia State Police sub-recipient;
- An obligation to keep complete and accurate records that clearly show Title VI Program compliance.

The Virginia State Police Grant Project Director shall conduct periodic sub-recipient Title VI Program compliance reviews to ensure adherence to Title VI requirements. The Virginia State Police Grant Project Director shall document sub-recipient compliance reviews to demonstrate due diligence in monitoring sub-recipients. Documentation should include the date of the activity, copies of necessary documentation, personnel interviews, items of discussion, observation, review, etc. Compliance reviews will evaluate the impact of sub-recipient activities in relation to complying with Federal regulations. If deficiencies are identified during the review, the sub-recipient will be notified at the conclusion of the review. The Virginia State Police Grant Project Director shall ensure the sub-recipient takes timely and appropriate corrective action on all non-compliance issues.

**EXHIBIT 2**

**SUB-RECIPIENT GUIDE TO IMPLEMENTING  
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AND RELATED NON-DISCRIMINATION  
AUTHORITIES**

## WHO IS A SUB-RECIPIENT?

A sub-recipient is an entity or person that indirectly receives federal financial assistance to implement a program or activity, which subjects them to Title VI Program compliance responsibilities. As a recipient of federal financial assistance, sub-recipients must implement a system of procedures, actions and sanctions prohibiting discrimination.

## WHAT IS TITLE VI OF THE CIVIL RIGHTS ACT OF 1964?

Title VI of the Civil Rights Act of 1964 is a federal law that protects individuals, groups and organizations from discrimination on the basis of race, color or national origin in federally assisted programs and activities. Because other non-discrimination authorities have expanded the scope and range of Title VI application and reach, reference to Title VI includes other provisions of federal statutes and related authorities to the extent that they prohibit discrimination in programs and activities receiving federal financial assistance. These related authorities include:

**The Civil Rights Restoration Act of 1987** which further clarified the intent of Title VI to include all programs and activities of entities whether those programs and activities are federally funded or not.

**Environmental Justice (Executive Order 12898)** addresses disproportionate adverse environmental, social and economic impacts that may exist in

communities, specifically minority and low income populations.

### **Limited English Proficiency (LEP)**

**(Executive Order 13166)** addresses access to services for persons whose primary language is not English and who have limited ability to read, write, speak or understand English.

### **The Americans with Disabilities Act of 1990 and Section 504 of the**

**Rehabilitation Act of 1973 (29 U.S.C., 790)** prohibit discrimination based on disability.

### **The Federal-Aid Highway Act of 1973**

**(29 U.S.C., 324)** prohibits discrimination based on sex (gender).

### **The Age Discrimination Act of 1975 (42**

**U.S.C., 6101)** prohibits discrimination based on age.

## SUB-RECIPIENTS' COMPLIANCE RESPONSIBILITIES (49 CFR PART 21)

The sub-recipient must submit a signed statement assuring compliance with Title VI of the Civil Rights Act of 1964, and related non-discrimination authorities. Sub-recipients of federal financial assistance must have a Title VI program, which should contain the following elements, at a minimum.

## Disclaimer

This brochure is intended to be a guide for sub-recipients. It is not intended to be all inclusive of Title VI and other non-discrimination authorities or sub-recipient responsibilities. Please contact the Virginia State Police for technical assistance and additional information.

**Virginia State Police  
7700 Midlothian Turnpike  
North Chesterfield, VA 23235**

### Mailing Address

**P.O. Box 27472  
Richmond, VA 23261**

**(804) 674-2000**



### **Policy Statement**

The policy statement must indicate the sub-recipient's commitment to assure non-discrimination in its program and activities to the effect that no person shall on the grounds of race, color, national origin, sex, age, disability, limited English proficiency or income status be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any federally or non-federally funded program or activity administered by the sub-recipient and/or its contractors. The policy statement must be signed by the head of the sub-recipient's organization.

### **Title VI Coordinator**

The sub-recipient must designate a coordinator for Title VI Program issues and complaints within the organization.

### **COMPLAINT PROCEDURES**

Sub-recipients of federal financial assistance shall follow procedures for processing discrimination complaints. Complaints shall include:

- The complainant(s) name, address and phone number
- A description of the incident that led the complainant to believe discrimination occurred
- The basis of the complaint (i.e. race, color, national origin, sex, age, disability, limited English proficiency or income status)

- The date(s) on which the alleged discrimination occurred
- Name(s) of contact information of individuals who may have knowledge of the alleged discrimination

All complaints shall be responded to, recorded and investigated. The records shall be maintained by the designated Title VI coordinator.

### **FEDERAL AID CONTRACT PROVISIONS**

Sub-recipients must include notifications in all solicitations for bids or material and agreements subject to Title VI of the Civil Rights Act of 1964 and other non-discrimination authorities. Sub-recipients' contractor(s) may not discriminate in the selection and retention of any sub-contractors.

### **NOTICE TO THE PUBLIC**

The Human Resource Director is appointed as the Virginia State Police Title VI Program Coordinator and is responsible for ensuring that all matters relating to non-discrimination are administered effectively. Individuals with questions or requiring additional information relating to the policy or implementation of the Virginia State Police Title VI Program Compliance Plan should contact the Human Resource Director located at Virginia State Police Headquarters, 7700 Midlothian Turnpike, North Chesterfield, VA 23235 or call (804) 674-2061.

## **TITLE VI**

### **Sub-Recipient Guide to Implementing Title VI of the Civil Rights Act of 1964 and Related Non-Discrimination Authorities**



## **TITLE VI PROGRAM TRAINING**

The Title VI Program Coordinator is responsible for implementing a Title VI non-discrimination training program for Virginia State Police personnel and sub-recipients. A training module (Exhibit 3) has been developed and will be presented during annual sworn and civilian supervisors' training. The Title VI Program Policy Statement and PowerPoint presentation will be distributed to Virginia State Police personnel during the training session.

**EXHIBIT 3**

**TITLE VI PROGRAM TRAINING**

## **BASIC TITLE VI PROGRAM TRAINING**



**June 2016**

**Captain Jeffrey L. Baker**  
**Human Resource Director**

## **Table of Contents**

- Title VI Program Authorities (Same language included in Notices of Funding Availability)
- Title VI Program Regulations
- Grants Management Manual
- Title VI Program Grant Requirements For Applicants
- Elements Of The Title VI Compliance Plan
- Pre-Award Compliance Reviews
- Post-Award Compliance Reviews
- Summary
- Contact Information



## **Title VI Program Authorities**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), which prohibits discrimination on the basis of race, color, or national origin, as implemented by 49 C.F.R. § 21.1 et seq. and 49 C.F.R. § 303;

## **Title VI Program Authorities (Cont'd)**

- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), which prohibits discrimination on the basis of age;
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, which prohibits discrimination on the basis of disability and 49 C.F.R. part 27;
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36;

### **Title VI Program Authorities (Cont'd)**

- The Civil Rights Restoration Act of 1987, ([102 Stat. 28.](#)), “*which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.*”;

### **Title VI Program Authorities (Cont'd)**

- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which prohibits discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;

## **Title VI Program Authorities (Cont'd)**

- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency. National origin discrimination includes discrimination because of limited English proficiency (LEP).

## **Elements Of The Title VI Compliance Plan**

- Applicant Title VI Program Compliance Plan (Checklist) –
- Policy Statement – will contain the following:
- Applicant's commitment to comply with 49 CFR Part 21 and 49 CFR Part 303;
- Identify an Agency-wide Title VI Program Coordinator;
- Reference the Title VI Program Assurance;
- Delegate sufficient responsibility and authority to the Title VI Program Coordinator and Bureau/Division/Office Managers to effectively implement the Agency's Title VI Program; and
- Be signed by the Applicant's CEO.

## **Elements Of The Title VI Compliance Plan (Cont'd)**

- 2. Civil Rights Certification/ Title VI Program Assurance: insert CEO-signed Assurance here;
- 3. Description of Federal-Aid Programs: Applicants are required to identify the purpose of the Federal-Aid Program and describe how the Program impacts members of the public.

## **Elements Of The Title VI Compliance Plan (Cont'd)**

- 4. Notification to Beneficiaries/ Participants: Applicants are required to prepare written notices to inform members of the Public of their rights under Title VI and additional Nondiscrimination requirements, how to request additional Title VI-related information, and how to file a complaint of discrimination.

## **Elements Of The Title VI Compliance Plan(Cont'd)**

- 5. Sub-Recipient Compliance Reports: If an Applicant intends to give a portion of the grant to another public entity (i.e., Sub-Recipient), the Applicant is required to identify the process whereby it will monitor the Sub-Recipient to ensure that it disburses the funds in a Title VI-compliant manner.

## **Elements Of The Title VI Compliance Plan (Cont'd)**

- 6. Training: The Applicant is required to describe how it will ensure that staff understand how their activities impact members of the public. This section will include how the Applicant ensures that:
  - The Title VI Program Coordinator understands his/her roles and responsibilities;

## **Elements Of The Title VI Compliance Plan (Cont'd)**

- Staff members responsible for compliance review activities understand how Title VI Program requirements impact how they conduct their compliance reviews;
- Staff members responsible for awareness activities understand how Title VI Program requirements impact how they conduct outreach activities;
- How often is the training provided;
- Who provides the training.

## **Elements Of The Title VI Compliance Plan(Cont'd)**

- 7. Access to Records: Once the grant is awarded to the Applicant, the Grantee is required to make all records relating to the effective implementation of the Title VI Program available for review either at a specified time or upon request for a complaint investigation, compliance review, or any other reason.

## **Elements Of The Title VI Compliance Plan(Cont'd)**

- 8. Complaint Disposition Process: The Applicant is required to define how it will process a Title VI-related complaint of discrimination from a member of the Public (i.e., intake, fact investigation conducted, investigative report prepared, evaluation made regarding merit of allegation(s), resolution or finding, etc.). The Applicant is required to keep a log.

## **Elements Of The Title VI Compliance Plan (Cont'd)**

- 9. Status of Corrective Actions Implemented by Applicant to Address Deficiencies Previously Identified During a Title VI Program Compliance Review: If another Federal agency has previously identified deficiencies, the Applicant will list the deficiencies and will describe the status of the Applicant's efforts to address the deficiencies.

## **Pre-Award Compliance Reviews**

- Office of Civil Rights (OCR) is required to conduct reviews (desk audits) of Title VI-related documents submitted by an Applicant;
- OCR coordinates these reviews with the Grants Management Office prior to awarding the grant;
- OCR may delay the grant award until the Applicant has fully submitted all required documents.

## **Post-Award Compliance Reviews**

- OCR conducts desk audits of Title VI-related documents of a certain number of recipients annually;
- OCR identifies up to four recipients annually to conduct On-Site visits, which consist of personnel interviews at the Headquarters of the grantee and may even include a visit to one or more Field Offices;
- Will include a Sub-Recipient visit if applicable.



## Summary

- There are a number of Title VI-related Nondiscrimination requirements in addition to Title VI;
- Applicants are required to submit Title VI-related documents;
- OCR conducts Pre- & Post-Award compliance reviews annually.

## Contact Information

**Captain Jeffrey L. Baker**  
**Human Resource Director**  
[jeff.baker@vsp.virginia.gov](mailto:jeff.baker@vsp.virginia.gov)  
**(804)674-2061**

## PROCUREMENT ACTIVITIES

The Virginia Department of General Services, Division of Purchases and Supply (DGS/DPS) is the centralized purchasing agency for materials, supplies, equipment, printing, and non-professional services required by any state agency or institution. All such purchases made by any department, division, officer or agency of the Commonwealth shall be made in accordance with the *Code of Virginia*, Chapter 43, Title 2.2, and such rules and regulations as DGS/DPS may prescribe. Procurements are accomplished in accordance with the Virginia Public Procurement Act. Following are excerpts from the DGS/DPS Agency Procurement and Surplus Property Manual addressing non-discrimination.

*In the solicitation, awarding or administration of contracts, no agency shall discriminate against a bidder, offeror, or contractor because of the race, religion, color, sex, age, disability, national origin, status as a service disabled veteran, or any other basis prohibited by state law relating to discrimination in employment (Code of Virginia, § 2.2-4310A). Agencies and institutions shall prominently display a nondiscrimination statement in all invitations to bid, requests for proposals, contracts, and purchase orders indicating that the public body does not discriminate against faith-based organizations (Code of Virginia, § 2.2-4343.1D).*

**ANTI-DISCRIMINATION:** *By submitting their (bids/proposals), (bidders/offerors) certify to the Commonwealth that they will conform to the provisions of the Federal Civil Rights Act of 1964, as amended, as well as the Virginia Fair Employment Contracting Act of 1975, as amended, where applicable, the Virginians With Disabilities Act, the Americans With Disabilities Act and § 2.2-4311 of the Virginia Public Procurement Act (VPPA). If the award is made to a faith-based organization, the organization shall not discriminate against any recipient of goods, services, or disbursements made pursuant to the contract on the basis of the recipient's religion, religious belief, refusal to participate in a religious practice, or on the basis of race, age, color, gender or national origin and shall be subject to the same rules as other organizations that contract with public bodies to account for the use of the funds provided; however, if the faith-based organization segregates public funds into separate accounts, only the accounts and programs funded with public funds shall be subject to audit by the public body. (Code of Virginia, § 2.2-4343.1E).*

*In every contract over \$10,000 the provisions in 1. and 2. below apply:*

1. During the performance of this contract, the contractor agrees as follows:

a. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.

c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting these requirements.

2. The contractor will include the provisions of 1. above in every subcontract or purchase order over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

## DISCRIMINATION COMPLAINT PROCESS

The primary mission of the Virginia State Police Professional Standards Unit, Internal Affairs Section is to ensure conformance to laws, policies and procedures; therefore, any allegations of discrimination would be handled by this component of the Virginia State Police.

The Virginia State Police as policy ensures non-discrimination compliance on the grounds of race, color, national origin, sex, age, disability, limited English proficiency, or low-income status as provided by Title VI of the Civil Rights Act of 1964, 49 Code of Federal Regulation (CFR) Part 21, 49 CFR Part 303, and related non-discrimination authorities. If any individual believes that he/she or any other program beneficiaries have been subjected to unequal treatment or discrimination in their receipt of benefits and/or services, or on the grounds of race, color, national origin, income, sex, age, disability or limited English proficiency, he or she may exercise their right to file a complaint with the Virginia State Police or with the appropriate Federal agency within 180 calendar days of the alleged occurrence. The Professional Standards Unit of the Virginia State Police will maintain a log of all complaints alleging discrimination.

As stated in the State Police Manual, General Order ADM 12.00, paragraph 6, §9.1-600 of the Code of Virginia requires the Virginia State Police to provide the general public access to complaint forms and information concerning the submission of complaints. If an individual wishes to submit a written complaint, he/she shall be given a Complaint form (SP-163). See Exhibit 4. The completed form may be turned in at any Virginia State Police facility or mailed to the Professional Standards Unit. Complaints may also be filed with the appropriate Federal agency.

A brochure entitled "How the Complaint Process Works" provides a brief description of the complaint process and should be offered to any person making a complaint. See Exhibit 5. Each Virginia State Police facility shall therefore maintain a supply of Complaint forms (SP-163) and the brochure.

Once a complaint has been received by the Virginia State Police, the complainant will be notified in writing that their complaint was received. It may be requested that the complainant meet with a Virginia State Police supervisor or Internal Affairs investigator to discuss the complaint. The following information will assist in the investigation:

1. Date, time, and location of the incident
2. Names of the employee(s) involved
3. Names, addresses, and telephone numbers of any witnesses

Internal Affairs investigations are completed within 30 days of assignment to an investigator, except when an extension is granted by the Superintendent due to extenuating circumstances. All completed investigations are forwarded to the employee's division commander or bureau director for disposition. Division commanders will use the following terminology when resolving complaints:

**Sustained** – The facts substantiate the specific allegation(s) made or other misconduct.

**Not Sustained** – Insufficient facts exist to either prove or disprove the allegation(s) made.

**Unfounded** – The facts substantiate the allegation(s) made are false.

After final disposition is reached by management, appropriate action is taken. The disposition of the complaint is a confidential personnel matter and is not released to the complainant.

Work is currently underway to clarify the Title VI Program Coordinator's involvement in the complaint disposition process. In addition, the Virginia State Police is reviewing its policy concerning complainant notification of case disposition. These issues will be resolved during FY 2017.

**EXHIBIT 4**  
**COMPLAINT FORM (SP-163)**

# COMPLAINT FORM

## Complainant Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Street/RFD

Town/City

State

Zip

Telephone Numbers: \_\_\_\_\_

Home

Work

Federal Title VI Discrimination Information: If you were discriminated against, please indicate the Basis of the Discrimination. ( ) Race ( ) Age ( ) Sex ( ) Disability ( ) National origin ( ) Limited English Proficiency ( ) Color ( ) Income Status

## Complaint Information

Date: \_\_\_\_\_ Location: \_\_\_\_\_

Name or description of person(s) against whom complaint is lodged:

\_\_\_\_\_

Nature of Complaint: (If additional space is needed, please use back of form or attachments.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Employee Receiving Complaint: \_\_\_\_\_ Date: \_\_\_\_\_

The completed form may be turned in at any Virginia State Police facility or mailed directly to the Professional Standards Unit at P. O. Box 27472, Richmond, VA 23261.



**EXHIBIT 5**  
**COMPLAINT PROCESS BROCHURE**

### YOUR COMPLAINT IS IMPORTANT

The Virginia Department of State Police is committed to the prompt and fair resolution of complaints concerning the actions and performance of our personnel. As an organization, we strive to provide the highest level of law enforcement service to all members of the public. Policing is a very difficult and complex job in today's society, and we realize that mistakes can be made and the actions of our personnel may fall short of your expectations.

The employees of the Department are aware of the important responsibilities and duties they have as public servants. The Department operates under the constitutional guarantees afforded to everyone and under the laws that govern us. Therefore, the courteous receipt of complaints, thorough and impartial investigations, and just dispositions are important in maintaining the confidence of our members of the public.

### UNDERSTANDING THE PROCESS

A complaint may be made in the following ways:

- Go to any department facility and ask to speak with a supervisor.
- Call the Internal Affairs Section at (804) 674-2792.
- Write a letter to the Superintendent of State Police or the Director of the Professional Standards Unit at P. O. Box 27472, Richmond, VA 23261.
- Complete a Complaint Form (SP-163). (This form is available at all State Police offices or by mail.)

Department personnel will meet with you at a location in which you feel comfortable, if necessary. The following information will assist in our investigation:

- Date, time, and location of the incident
- Names of the employees involved
- Names, addresses, and telephone numbers of any witnesses

### THE INTERVIEW

A supervisor or internal affairs investigator will discuss the complaint with you. Perhaps the problem is with another agency, or it may be possible that the supervisor or investigator may be able to explain the employee's actions to your satisfaction. If, after this discussion, you are satisfied with the explanation and help provided, then no further action is taken. However, if the complaint remains unresolved, the supervisor or investigator will take your information and make sure that the complaint is considered by the appropriate personnel.

### AFTER THE COMPLAINT IS MADE

A record of your complaint will be forwarded to the Department's Professional Standards Unit for evaluation and assignment. Allegations of criminal wrongdoing are typically investigated by the Bureau of Criminal Investigation prior to the initiation of an administrative investigation.

You will be notified, in writing, that your complaint has been received and you may be asked to talk to the supervisor or investigator assigned to conduct the investigation.

### HOW LONG DOES THE PROCESS TAKE?

Internal affairs investigations are completed within 30 days, except when the Superintendent grants an extension due to extenuating circumstances.

### AFTER THE INVESTIGATION

All completed investigations are forwarded to the employee's division commander or bureau director for disposition.

### DISPOSITION OF THE INVESTIGATION

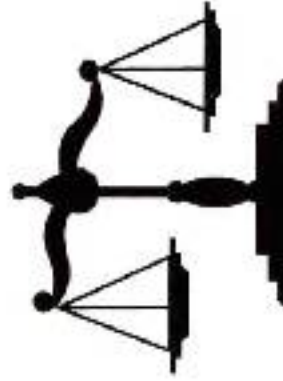
Division commanders will use the following terminology when resolving complaints:

- ♦ **SUSTAINED** - The facts substantiate the specific allegation(s) made or other misconduct.
- ♦ **NOT SUSTAINED** - Insufficient facts exist to either prove or disprove the allegation(s) made.
- ♦ **UNFOUNDED** - The facts substantiate the allegation(s) made are false.

After final disposition is reached by management, appropriate action is taken. The disposition of the complaint is a confidential personnel matter and is not released to the complainant.

### DISCIPLINARY ACTION

If the investigation indicates the employee has committed an offense under the Standards of Conduct, disciplinary action commensurate with the severity of the offense will be taken. Mitigating circumstances may also be considered. Disciplinary action may involve counseling, remedial training, suspension, or termination.



#### PROFESSIONAL STANDARDS UNIT

The Professional Standards Unit includes the Internal Affairs Section, which is responsible for conducting investigations of complaints of improper action or misconduct by employees, or recommending the assignment of these investigations to the appropriate division. The Internal Affairs Section also prepares a semiannual analysis of internal affairs cases. This analysis is provided to all employees and is available to the public, upon request.

#### STANDARDS OF CONDUCT

The Commonwealth of Virginia has a set of rules governing the performance and personal conduct and acceptable standards for work performance of employees. These Standards of Conduct and Performance are designed and used to correct behavior. Discipline under the Standards of Conduct will not be based on any employee's race, color, religion, national origin, political affiliation, sex, disability or age by the State Police. These standards were developed to protect the well-being and rights of all employees and members of the public.

#### TITLE VI DISCRIMINATION COMPLAINT

The Virginia State Police Title VI Program Coordinator is the Department's Human Resource Director. Title VI Program discrimination complaints recognize the following protected groups: race, sex, national origin, color, income status, age, disability, and limited English proficiency.

#### MISSION STATEMENT

The mission of the Department is to provide to the Commonwealth of Virginia a responsive, coordinated, composite statewide police department, independent yet supportive of other law enforcement agencies; to preserve law and order; to enforce criminal, traffic, and regulatory laws; to meet goals and objectives of the Department; and to provide security and safety services in the most efficient and effective manner.

#### COMMITMENT

Anyone who files a complaint against an employee of the Department of State Police shall be treated with courtesy and respect.

#### HONESTY

Department employees are expected to be truthful and sincere in all their interactions with the public, avoid the appearance of wrongdoing, and confront and challenge any unethical behavior.

#### RESPECT FOR OTHERS

Department employees are expected to discharge their duties with care, compassion, and concern for the well-being of all those they serve, recognizing the inherent worth and dignity of all persons.

#### FAIRNESS

Department employees are expected to make decisions in a fair, objective, and impartial manner.

#### ACCOUNTABILITY

Department employees are expected to take responsibility for their actions and protect the public trust by upholding the laws of the United States and the Commonwealth of Virginia.

## How the Complaint Process Works



## Department of State Police

**The Virginia  
Department of State Police  
is a nationally accredited  
law enforcement agency.**

## TITLE VI PROGRAM COMPLIANCE REVIEW

The Virginia State Police has not undergone a Federally-conducted Title VI Program compliance review.

## LIMITED ENGLISH PROFICIENCY ANALYSIS

The Virginia State Police is committed to non-discrimination in all programs and activities, whether or not those programs and activities are federally funded. In fulfillment of responsibilities to limited English proficient (LEP) persons, pursuant to Executive Order 13166, entitled "*Improving Access to Services for Persons with Limited English Proficiency*", the Virginia State Police has taken reasonable steps to ensure meaningful access to the agency's programs, activities, and services that are normally provided in English.

The ability of Virginia State Police personnel to communicate with and understand LEP persons is essential to effective service delivery. The key to providing meaningful access to LEP persons is to ensure that they can communicate effectively and act appropriately based on that communication. The provision of appropriate interpreter services is central to the integrity of all programs, services, and activities, ensuring that those with limited English proficiency can understand and participate in a meaningful manner.

A four factor analysis was completed to aid in determining the population, and ultimately the resources that the Virginia State Police can put in place to assist LEP persons. The four factor analysis includes:

1. The determination of the LEP population
2. The frequency of encounters with the LEP population
3. The importance of the services provided by the agency
4. The resources that the Virginia State Police has available to serve the LEP population

### **Factor 1**

**Factor 1 is the determination of the overall number and/or proportion of LEP persons encountered in the Department's service area/jurisdiction including any seasonal, tourism, or other time or geographical variations in the LEP population.**

The Demographics Research Group at the University of Virginia (StatChat) provides an interactive map that displays the percent of English, Spanish and the other most prevalent language in each jurisdiction in Virginia. As indicated by the chart on the next page, the most prevalent language spoken in Virginia other than English is Spanish. The LEP population represents 5.68 percent of Virginia's total population. At almost 53 percent, Spanish is the most prevalent language spoken by the LEP population (219,129 out of 416,691), followed by Korean (31,748 out of 416,691) or 7.6 percent. The table on the next page displays the top five languages used by residents in Virginia.

Virginia	Non-English	Non-Eng. %	Est. LEP	LEP % of Pop
7,335,569	1,036,442	14.13%	416,691	5.68%
Spanish	470,058	6.41%	219,129	2.99%
Korean	56,518	0.77%	31,748	0.43%
Vietnamese	45,881	0.63%	25,763	0.35%
Tagalog	40,724	0.56%	10,896	0.15%
Chinese	35,565	0.48%	16,937	0.23%

The languages used by the LEP population were examined for local concentrations in Virginia. The StatChat web site provides a map of the most prevalent languages used in each county and city in Virginia. There are regions in Virginia that indicate some concentration of people who speak languages other than English and Spanish. This data set did not distinguish the level of proficiency in English, but rather those who use these other languages. It would not be unreasonable to assume that these concentrations of language users would most likely include those who speak English less than very well (i.e., LEP).

Six of the most densely populated areas of Virginia were examined to determine the next most frequently used languages in these areas, excluding English and Spanish, and the results are depicted on the table below. More detailed results are included in Appendix 4. For much of the more rural portions of Virginia, German and French are the most prevalent languages used.

#### Most Frequent Language Users by Region

<b>Northern Virginia:</b>		<b>Roanoke Valley:</b>	
Korean	36,338	Chinese	1,397
African Languages	21,061	French	815
Other Asian Languages	7,901	Gujarati	753
<b>Hampton Roads:</b>		<b>Shenandoah Valley:</b>	
Tagalog	17,596	Arabic	489
German	1,667	Russian	488
Vietnamese	880		
<b>Richmond Area:</b>		<b>Charlottesville Area:</b>	
Other Asian Languages	6,077	Chinese	2,117
Vietnamese	2,119		
French	1,082		

## Factor 2

**Factor 2 is the frequency that LEP individuals come in contact with Department programs, services or personnel. These contacts will vary depending upon the type of encounter, as in Factor 3, and in the language used by the LEP person.**

The frequency of encountering a Virginia State Police member depends upon many factors. Matching Virginia State Police encounters to the demographics of language use by LEP persons provides a mechanism for determining the likelihood of Virginia State Police personnel encountering individuals who are LEP and in need of services provided by the Virginia State Police. The most heavily travelled north/south corridor interstates pass through Virginia (Interstates 95 and 81) allowing fast travel to and through Virginia. The Virginia State Police delivers the primary law enforcement service along these routes. Numerous rest areas and commercial vehicle weigh stations are situated along the over 1,000 miles of interstate highways, which provides numerous opportunities for Virginia State Police personnel to interact with diverse people from different areas of the country.

According to the Virginia Tourism web site, the most frequent visitors to Virginia originate from the following states:

Percent	State	Percent	State
31 %	Virginia	5 %	Florida
9 %	North Carolina	4 %	South Carolina
6 %	Pennsylvania	3 %	Ohio
6 %	Maryland	3 %	New Jersey
5 %	New York	3 %	Texas

This data sums up to 75 percent of the visitors to Virginia, with nearly a third originating from in-state. Excluding Virginia, nearly half of travelers to Virginia come from these nine states. By looking at the LEP persons from these states, it is expected that the most frequently encountered languages will be represented by these visitors. Through the resources examined in Factor 1, Spanish is the most frequently used language (other than English) in each of these nine states. This validates the expectation that Spanish is the most frequently encountered non-English language used by both residents and visitors to Virginia. The estimated percent of each state's population that use Spanish and are LEP is shown in the table on the next page.

State	Language	Percent	State	Language	Percent
Virginia	Spanish	3.0 %	Florida	Spanish	9.1 %
North Carolina	Spanish	3.8 %	South Carolina	Spanish	2.3 %
Pennsylvania	Spanish	1.6 %	Ohio	Spanish	0.8 %
Maryland	Spanish	3.1 %	New Jersey	Spanish	6.9 %
New York	Spanish	6.7 %	Texas	Spanish	12.7 %

Other languages are used by residents of, and visitors to, Virginia as well. The following table presents the most frequently used language by the residents of the same states listed above and the percent of users in each state, excluding English and Spanish.

State	Language	Percent	State	Language	Percent
Virginia	Korean	0.4 %	Florida	French Creole	0.9 %
North Carolina	Vietnamese	0.2 %	South Carolina	French	0.1 %
Pennsylvania	German	0.1 %	Ohio	German	0.1 %
Maryland	French	0.3 %	New Jersey	Portuguese	0.5 %
New York	Chinese	1.0 %	Texas	Vietnamese	0.4 %

Clearly, the vast majority of non-English language users speak Spanish, and this is by far the most likely language that Virginia State Police personnel will encounter. While the tourism data includes visitors traveling to Virginia for business or pleasure, it does not necessarily include those who may routinely travel to Virginia for work, college, daily shopping, errands, or to visit family who live close to the border of Virginia. Including these persons would encompass all of the contiguous states. Contiguous states not cited above include Tennessee, Kentucky, West Virginia, and Washington, D.C. The most frequently used non-English language by the residents of these states and the percent of users are listed below.

State	Primary Language	Percent	Second Language	Percent
Tennessee	Spanish	3.7 %	German	0.2 %
Kentucky	Spanish	2.4 %	German	0.3 %
West Virginia	Spanish	1.1 %	French	0.2 %
Washington, D.C.	Spanish	7.4 %	French	1.4 %

To compare concentrations of language users among the states, the number of speakers for individual languages was examined. For English, Virginia comes in ranked eleventh in the country. Virginia ranks fifteenth in Spanish users. For most of the other languages listed, Virginia ranks in the ten to fifteen percent or



lower range with some notable exceptions outlined below. These indicate Virginia regional or local concentrations. Regional or local concentrations are important, because it increases the likelihood of encounters with Virginia State Police personnel in certain areas. To aid in determining the likelihood of a Virginia State Police member encountering a LEP person, the number as well as the concentration of language users was examined for the most prevalent languages used in Virginia. See Appendix 1.

Local concentrations of LEP persons (other than Spanish) indicate that Korean speakers are more concentrated in Northern Virginia, especially in Fairfax County. Various African languages are predominant in Alexandria City and Arlington County, as well as in Prince William County. In the Hampton Roads area, Tagalog (a Filipino language) is most frequently found in the cities of Virginia Beach, Chesapeake and Norfolk. The Richmond metropolitan area has a significant number of various Asian languages. The Roanoke Valley area and the Charlottesville area both have Chinese as the predominant language after English and Spanish. The details for each region are found in Appendix 4.

Based upon the statistics for intrastate and interstate residents and visitors, by far the most frequently encountered LEP person used language is Spanish. Virginia State Police members' encounters with Spanish speakers are not uncommon and are expected. Other languages are less common and more likely concentrated in certain areas. For example, Korean is prevalent in the Northern Virginia area, while Tagalog is prevalent in the Hampton Roads area. Vietnamese is found in several areas across the state, as is Chinese.

### **Factor 3**

**Factor 3 is the nature and the importance of the encounters that the Department has with LEP individuals. This can vary depending upon the type of service that the Department provides.**

The importance of each encounter is somewhat variable depending upon the service required by the individual. Since the Virginia State Police is the only law enforcement agency in the Commonwealth with statewide jurisdiction and has a high level of authority to restrict movement, detain, arrest, search and perform other activities, each encounter with an individual has the potential to be of very high importance. Certainly, not all encounters reach the level of a detention or arrest; however, most individuals would consider an encounter with law enforcement as important. Important encounters include an individual who is subject to a traffic stop, attempting to purchase a weapon from a firearms dealer, a suspect, witness, or family member as a part of an investigation, a call for service, a criminal history check for employment, a community event or police sponsored learning event, etc.

Many of these encounters may require specific actions that need to be fully understood for both the benefit and safety of Virginia State Police personnel and the individual themselves. In extreme cases, a misunderstanding can be life threatening. While others, still important; may include a denial of process due to the inability to communicate effectively.

#### **Factor 4**

**Factor 4 is the resources available to the Department and the costs associated with providing language services to the LEP persons. Cost is considered a factor since compliance does not indicate that every LEP person, no matter the language, can be reasonably or cost effectively be served. This must be demonstrated however.**

The Virginia State Police mission statement states that we "*will provide high quality, statewide law enforcement services to the people of Virginia and our visitors*". The Virginia State Police has taken many steps to ensure those individuals who need language assistance are accommodated appropriately using multiple methods.

When a new employee is hired, information is requested (SP-198 form) to determine if the person is able to speak/read/write/translate any language(s) other than English and at what level of proficiency. The employee also indicates their willingness to interpret or translate, if a situation arises. This list of employees is maintained in a database by the Personnel Division and can be queried by language and by Division. Currently, there are 30 different languages used by a total of 784 employees, with Spanish, French and German the most common.

In the each of the seven Virginia State Police Communications Centers, the dispatchers have 24 hours/7 days per week access to Language Line. The dispatcher can contact and reach an individual who is professionally trained to interpret emergency communication calls in a three-way call between the dispatcher, the interpreter and the caller. As stated in the Virginia State Police Communications Center Manual, new dispatchers are tested on their ability to handle callers who speak a foreign language. Additionally, similar services are provided by local agency law enforcement departments that may be available to Virginia State Police personnel in the field.

Several forms that are provided to the public during critical law enforcement actions have been translated into other languages. The table on the next page lists these forms and into which languages the forms have been translated.

Form	Form #	Translated Languages
Consent to Search	SP-023, A, B	Spanish, French, German
Advice of Rights	SP-168	Spanish
Asset Disclaimer	SP-303	Spanish
Crash Report Information	SP-319	Spanish, French, German

Department Public Service Announcements (PSAs) are routinely produced in both English and Spanish by the Virginia State Police Public Relations Office. A recent (June 2016) PSA stated that "both English and Spanish versions of the PSA are available for download on VSP's YouTube page".

The Criminal Justice Information Services (CJIS) Division includes several areas that have contact with the public. The Central Criminal Records Exchange Section that provides criminal record searches for non-criminal justice entities has infrequent (typically fewer than five per year) contact with LEP persons. CJIS procedures to provide service to these individuals are to use the Language Line (consistent with the dispatchers) or they can request the assistance of multi-lingual Virginia State Police employees.

Visitors to the State Police Administrative Headquarters (SPHQ) are met at the front desk reception to request services such as criminal histories, fingerprinting services, sex offender registries or for job opportunities. For LEP persons, most often they are accompanied by their own interpreter. If a visitor needs language assistance, these same resources stated above can be used to assist with LEP persons. Spanish speaking individuals are the most frequently encountered; and if assistance is needed, a sergeant in the Training Division, who is fluent in Spanish and willing to assist, is usually contacted. If the sergeant is not available or another language is used, other Virginia State Police personnel are contacted. At times, interpreters from Chesterfield County have been used. And if none of the other options are available, the interpretation services from the Language Line are used.

The Virginia State Police Training Division began a program to teach "survival Spanish" to all trooper/cadets. In 2004, the training was provided to field offices prior to incorporating into the basic academy training session. The training consists of four hours of classroom instruction with practical usage. This program has been very successful and reduces the need to use a third party to communicate with Spanish speaking individuals. It also shows the commitment of the Virginia State Police to ensure that troopers can interact effectively with the Spanish speaking population that they are most likely to encounter.

Other examples of Virginia State Police efforts to communicate with and engage with LEP persons and communities includes a recent (November 2015) outreach effort by a trooper in the Northern Virginia area who presented a program on the "Drive to Save Lives" traffic safety message to the popular cable broadcast network Univision based in Washington, D.C.

Virginia State Police also has a General Order (OPR 5.04) that outlines the procedure for interacting with foreign nationals. Though this order is primarily targeted to ensure foreign nationals are treated appropriately based upon international conventions, the resources outlined above may be used to communicate effectively with this population. Considering the proximity to Washington, D.C., encountering foreign nationals is plausible.

As detailed in this analysis, several strategies have been implemented by the Virginia State Police to ensure effective communication with LEP individuals during service delivery.

## APPENDIX 1

Virginia and surrounding states top ten languages and estimated persons with Limited English Proficiency.

(Data from the Modern Language Association based upon the American Community Survey)

Virginia	Non-English	Non-Eng. %	Est. LEP	LEP % of Pop
<b>7,335,569</b>	<b>1,036,442</b>	<b>14.13%</b>	<b>416,691</b>	<b>5.68%</b>
Spanish	470,058	6.41%	219,129	2.99%
Korean	56,518	0.77%	31,748	0.43%
Vietnamese	45,881	0.63%	25,763	0.35%
Tagalog	40,724	0.56%	10,896	0.15%
Chinese	35,565	0.48%	16,937	0.23%
French	33,776	0.46%	7,634	0.10%
Arabic	29,674	0.40%	8,852	0.12%
German	27,247	0.37%	5,094	0.07%
Hindi	24,813	0.34%	3,879	0.05%
Persian (Farsi)	23,520	0.32%	8,406	0.11%
Maryland	Non-English	Non-Eng. %	Est. LEP	LEP % of Pop
<b>5,335,210</b>	<b>851,603</b>	<b>15.96%</b>	<b>337,174</b>	<b>6.32%</b>
Spanish	345,308	6.47%	165,891	3.11%
French	47,591	0.89%	13,118	0.25%
Chinese	43,727	0.82%	21,836	0.41%
Korean	38,906	0.73%	21,354	0.40%
Kru, Ibo, Yoruba	30,288	0.57%	4,529	0.08%
Tagalog	27,782	0.52%	7,894	0.15%
German	22,225	0.42%	3,791	0.07%
Russian	19,892	0.37%	9,355	0.18%
Vietnamese	19,140	0.36%	11,391	0.21%
Amharic	18,343	0.34%	6,585	0.12%
North Carolina	Non-English	Non-Eng. %	Est. LEP	LEP % of Pop
<b>8,644,639</b>	<b>893,735</b>	<b>10.34%</b>	<b>422,672</b>	<b>4.89%</b>
Spanish	598,756	6.93%	326,385	3.78%
French	27,310	0.32%	6,420	0.07%
German	23,204	0.27%	3,163	0.04%
Vietnamese	20,821	0.24%	12,685	0.15%
Chinese	19,570	0.23%	8,955	0.10%
Arabic	14,453	0.17%	4,721	0.05%
Korean	13,929	0.16%	6,441	0.07%
Tagalog	11,353	0.13%	2,576	0.03%
Hindi	10,510	0.12%	1,677	0.02%
Gujarati	9,290	0.11%	3,651	0.04%

<b>Tennessee</b>	<b>Non-English</b>	<b>Non-Eng. %</b>	<b>Est. LEP</b>	<b>LEP % of Pop</b>
<b>5,831,996</b>	<b>362,719</b>	<b>6.22%</b>	<b>165,807</b>	<b>2.84%</b>
Spanish	213,452	3.66%	113,592	1.95%
German	13,924	0.24%	2,233	0.04%
French	12,973	0.22%	3,598	0.06%
Arabic	12,040	0.21%	4,914	0.08%
Chinese	10,332	0.18%	5,858	0.10%
Vietnamese	8,047	0.14%	4,681	0.08%
Korean	8,046	0.14%	4,325	0.07%
Laotian	6,061	0.10%	3,279	0.06%
Tagalog	5,462	0.09%	1,334	0.02%
Hindi	4,582	0.08%	694	0.01%
<b>Kentucky</b>	<b>Non-English</b>	<b>Non-Eng. %</b>	<b>Est. LEP</b>	<b>LEP % of Pop</b>
<b>4,005,636</b>	<b>182,796</b>	<b>4.56%</b>	<b>81,939</b>	<b>2.05%</b>
Spanish	95,704	2.39%	48,698	1.22%
German	12,209	0.30%	2,843	0.07%
French	7,525	0.19%	2,205	0.06%
Chinese	5,197	0.13%	3,077	0.08%
Serbo-Croatian	5,172	0.13%	2,708	0.07%
Vietnamese	4,895	0.12%	3,499	0.09%
Japanese	4,452	0.11%	2,748	0.07%
Arabic	4,136	0.10%	1,777	0.04%
Tagalog	3,787	0.09%	1,015	0.03%
Korean	2,812	0.07%	1,316	0.03%

West Virginia	Non-English	Non-Eng. %	Est. LEP	LEP % of Pop
1,737,470	40,428	2.33%	12,222	0.70%
Spanish	18,560	1.07%	6,308	0.36%
French	2,940	0.17%	854	0.05%
German	2,467	0.14%	431	0.02%
Arabic	1,759	0.10%	512	0.03%
Italian	1,580	0.09%	423	0.02%
Chinese	1,508	0.09%	699	0.04%
Tagalog	1,126	0.06%	170	0.01%
Japanese	839	0.05%	540	0.03%
Vietnamese	724	0.04%	456	0.03%
Urdu	622	0.04%	56	0.00%

Washington DC	Non-English	Non-Eng. %	Est. LEP	LEP % of Pop
551,438	80,146	14.53%	25,098	4.55%
Spanish	40,928	7.42%	15,772	2.86%
French	7,623	1.38%	1,445	0.26%
Amharic	2,883	0.52%	1,340	0.24%
German	2,438	0.44%	382	0.07%
Chinese	2,177	0.39%	1,157	0.21%
Kru, Ibo, Yoruba	1,923	0.35%	240	0.04%
Italian	1,250	0.23%	213	0.04%
Arabic	1,235	0.22%	160	0.03%
Hindi	1,163	0.21%	79	0.01%
Portuguese	1,140	0.21%	295	0.05%

## APPENDIX 2

The South Atlantic region and surrounding regions to Virginia top ten languages and estimated persons with Limited English Proficiency.

(Data from the Modern Language Association based upon the American Community Survey)

South Atlantic	Non-English	Non-Eng. %	Est. LEP	LEP % of Pop
<b>54,860,989</b>	<b>9,035,864</b>	<b>16.47%</b>	<b>3,953,418</b>	<b>7.21%</b>
Spanish	5,764,097	10.51%	2,794,257	5.09%
French Creole	358,278	0.65%	173,253	0.32%
French	277,645	0.51%	67,900	0.12%
German	190,582	0.35%	30,457	0.06%
Vietnamese	186,657	0.34%	111,237	0.20%
Korean	180,087	0.33%	97,653	0.18%
Chinese	175,711	0.32%	88,508	0.16%
Tagalog	157,177	0.29%	43,722	0.08%
Portuguese	128,019	0.23%	50,125	0.09%
Arabic	115,034	0.21%	34,386	0.06%
FL, GA, SC, NC, WV, VA, DC, MD, DE				
Mid Atlantic	Non-English	Non-Eng. %	Est. LEP	LEP % of Pop
<b>38,131,679</b>	<b>8,811,288</b>	<b>23.11%</b>	<b>3,826,623</b>	<b>10.04%</b>
Spanish	4,291,222	11.25%	1,973,948	5.18%
Chinese	406,033	1.06%	239,331	0.63%
Italian	351,292	0.92%	110,819	0.29%
Russian	297,591	0.78%	162,238	0.43%
Korean	217,849	0.57%	123,764	0.32%
French	212,615	0.56%	52,951	0.14%
French Creole	199,712	0.52%	81,862	0.21%
Polish	184,974	0.49%	81,198	0.21%
Tagalog	169,344	0.44%	46,269	0.12%
German	156,217	0.41%	28,924	0.08%
NY, NJ, PA				



<b>East North Central</b>	<b>Non-English</b>	<b>Non-Eng. %</b>	<b>Est. LEP</b>	<b>LEP % of Pop</b>
<b>43,295,447</b>	<b>5,000,021</b>	<b>11.55%</b>	<b>2,033,567</b>	<b>4.70%</b>
Spanish	2,516,323	5.81%	1,141,314	2.64%
Polish	247,441	0.57%	115,958	0.27%
German	220,422	0.51%	46,649	0.11%
Arabic	181,938	0.42%	68,497	0.16%
Chinese	140,972	0.33%	71,550	0.17%
French	117,772	0.27%	27,007	0.06%
Tagalog	112,531	0.26%	30,817	0.07%
Italian	89,305	0.21%	24,385	0.06%
Korean	85,376	0.20%	45,315	0.10%
Russian	81,818	0.19%	39,812	0.09%
<b>OH, IN, IL, MI, WI</b>				
<b>East South Central</b>	<b>Non-English</b>	<b>Non-Eng. %</b>	<b>Est. LEP</b>	<b>LEP % of Pop</b>
<b>16,985,021</b>	<b>868,196</b>	<b>5.11%</b>	<b>397,726</b>	<b>2.34%</b>
Spanish	511,501	3.01%	271,203	1.60%
German	38,634	0.23%	7,257	0.04%
French	33,471	0.20%	8,415	0.05%
Vietnamese	24,499	0.14%	14,599	0.09%
Chinese	24,305	0.14%	13,879	0.08%
Arabic	22,358	0.13%	8,879	0.05%
Korean	18,541	0.11%	9,558	0.06%
Tagalog	14,333	0.08%	3,880	0.02%
Japanese	12,463	0.07%	6,922	0.04%
Hindi	11,130	0.07%	1,830	0.01%
<b>KY, TN, AL, MS</b>				
<b>New England</b>	<b>Non-English</b>	<b>Non-Eng. %</b>	<b>Est. LEP</b>	<b>LEP % of Pop</b>
<b>13,344,599</b>	<b>2,206,896</b>	<b>16.54%</b>	<b>954,411</b>	<b>7.15%</b>
Spanish	847,423	6.35%	412,329	3.09%
Portuguese	243,247	1.82%	124,840	0.94%
French	193,338	1.45%	42,866	0.32%
Chinese	91,280	0.68%	50,667	0.38%
Italian	90,120	0.68%	27,426	0.21%
French Creole	63,691	0.48%	30,196	0.23%
Polish	59,399	0.45%	25,317	0.19%
Russian	52,127	0.39%	26,395	0.20%
Vietnamese	45,961	0.34%	31,243	0.23%
Greek	37,880	0.28%	10,392	0.08%
<b>CT, RI, MA, VT, NH, ME</b>				

West South Central	Non-English	Non-Eng. %	Est. LEP	LEP % of Pop
<b>32,634,184</b>	<b>8,500,225</b>	<b>26.05%</b>	<b>3,564,295</b>	<b>10.92%</b>
Spanish	7,009,844	21.48%	3,065,172	9.39%
Vietnamese	211,832	0.65%	120,344	0.37%
French	180,744	0.55%	32,562	0.10%
Chinese	107,751	0.33%	54,652	0.17%
German	94,757	0.29%	15,874	0.05%
Tagalog	74,149	0.23%	18,363	0.06%
Korean	62,516	0.19%	33,724	0.10%
Arabic	59,493	0.18%	18,485	0.06%
Urdu	58,349	0.18%	16,722	0.05%
Hindi	55,310	0.17%	10,633	0.03%
AR, LA, OK, TX				

### **APPENDIX 3**

The following charts aggregate the top ten languages used by Limited English Proficiency persons for Virginia and the six adjoining states (including D.C.) and the four adjoining regions to Virginia. The number count indicated the number of states or regions that include the specific language in the top ten. For the languages that have zero, these languages were not one of the top ten languages used by the LEP persons in these particular states or regions.

(Data from the Modern Language Association based upon the American Community Survey)

Adjoining States (Max = 7)	# of States	Total LEP
Spanish	7	895,775
Korean	5	65,184
Chinese	7	58,519
French	7	35,274
Vietnamese	6	58,475
Tagalog	6	23,885
Arabic	6	20,936
German	7	17,937
Hindi	4	6,329
Kru, Ibo, Yoruba	2	4,769
Persian (Farsi)	1	8,406
Amharic	2	7,925
Russian	1	9,355
Gujarati	1	3,651
Laotian	1	3,279
Serbo-Croatian	1	2,708
Japanese	2	3,288
Italian	2	636
Portuguese	1	295
Urdu	1	56
French Creole	0	0
Polish	0	0
Greek	0	0
Hmong	0	0
Cushite	0	0
Navajo	0	0
Other Native American	0	0
Cantonese	0	0
Mandarin	0	0

Adjoining Regions (Max = 4)	# of Regions	Total LEP
Spanish	4	6,180,722
Chinese	4	413,268
French	4	156,273
German	4	113,287
French Creole	2	255,115
Korean	4	276,290
Tagalog	4	124,688
Italian	2	135,204
Polish	2	197,156
Russian	2	202,050
Arabic	3	111,762
Vietnamese	2	125,836
Portuguese	1	50,125
Japanese	1	6,922
Hindi	1	1,830
Cantonese	0	0
Mandarin	0	0
Persian (Farsi)	0	0
Navajo	0	0
Urdu	0	0
Hmong	0	0
Cushite	0	0
Greek	0	0
Other Native American	0	0
Kru, Ibo, Yoruba	0	0
Amharic	0	0
Gujarati	0	0
Laotian	0	0
Serbo-Croatian	0	0

## APPENDIX 4

The following charts display the most frequent language used for the six well populated areas of Virginia; excluding English and Spanish.

(Data from the Demographics Research Group at the University of Virginia)

Northern Virginia	Language	% of Pop	Pop-2010 Census	Language Users
Alexandria City	African Languages	5.81%	139,966	8,132
Arlington County	African Languages	1.89%	207,627	3,924
Fairfax County	Korean	3.24%	1,081,726	35,048
Fairfax City	Korean	2.86%	22,565	645
Falls Church City	Russian	1.97%	12,332	243
Loudoun County	Other Asian Languages	2.53%	312,311	7,901
Prince William County	African Languages	2.24%	402,002	9,005
Manassas City	Tagalog	0.94%	37,821	356
Manassas Park City	Persian	2.18%	14,273	311
Fauquier County	German	0.41%	65,203	267
Culpeper County	German	0.58%	46,689	271
Stafford County	French	0.81%	128,961	1,045
Fredericksburg City	French	0.71%	24,286	172
Spotsylvania County	German	0.47%	122,397	575

Hampton Roads	Language	% of Pop	Pop-2010 Census	Language Users
Hampton City	Vietnamese	0.64%	137,436	880
Newport News City	German	0.61%	180,719	1,102
Poquoson City	Chinese	1.11%	12,150	135
York County	Korean	0.99%	65,464	648
Williamsburg City	Chinese	1.22%	14,058	172
James City County	German	0.58%	67,009	389
Norfolk City	Tagalog	1.36%	242,803	3,302
Portsmouth City	French	0.50%	95,535	478
Chesapeake City	Tagalog	0.73%	222,209	1,622
Virginia Beach City	Tagalog	2.88%	437,994	12,614
Suffolk City	African Languages	0.42%	84,585	355
Isle of Wight County	German	0.50%	35,270	176
Northampton County	Tagalog	0.47%	12,389	58
Accomack County	French	1.13%	33,164	375

<b>Richmond Area</b>	<b>Language</b>	<b>% of Pop</b>	<b>Pop-2010 Census</b>	<b>Language Users</b>
Richmond City	French	0.53%	204,214	1,082
Henrico County	Other Asian Languages	1.98%	306,935	6,077
Chesterfield County	Vietnamese	0.67%	316,236	2,119
Hanover County	Chinese	0.32%	99,863	320
Petersburg City	German	0.41%	32,420	133
Hopewell City	Arabic	0.94%	22,591	212
Colonial Heights City	Korean	1.14%	17,411	198

<b>Roanoke Valley</b>	<b>Language</b>	<b>% of Pop</b>	<b>Pop-2010 Census</b>	<b>Language Users</b>
Roanoke City	French	0.84%	97,032	815
Roanoke County	Gujarati	0.54%	92,376	499
Salem City	German	0.41%	24,802	102
Montgomery County	Chinese	1.48%	94,392	1,397
Henry County	Italian	0.13%	54,151	70
Martinsville City	African Languages	0.47%	13,821	65
Pittsylvania County	German	0.17%	63,506	108
Danville City	Gujarati	0.59%	43,055	254

<b>Shenandoah Valley</b>	<b>Language</b>	<b>% of Pop</b>	<b>Pop-2010 Census</b>	<b>Language Users</b>
Frederick County	German	0.45%	78,305	352
Winchester City	Other Slavic Languages	0.69%	26,203	181
Shenandoah County	Chinese	0.31%	41,993	130
Rockingham County	Russian	0.64%	76,314	488
Harrisonburg City	Arabic	1.00%	48,914	489

<b>Charlottesville Area</b>	<b>Language</b>	<b>% of Pop</b>	<b>Pop-2010 Census</b>	<b>Language Users</b>
Charlottesville City	Chinese	2.00%	43,475	870
Albemarle County	Chinese	1.26%	98,970	1,247



U.S. Department  
of Transportation

Federal Motor Carrier  
Safety Administration

1200 New Jersey Avenue, SE  
Washington, DC 20590

October 19, 2016

In Reply Refer To: MC-CR  
FY 2017 Pre-Award VSP

Mr. W. Steven Flaherty, Colonel  
Virginia State Police  
7700 Midlothian Turnpike  
North Chesterfield, VA 23235

Dear Mr. Flaherty:

We are in receipt of the Virginia State Police's (VSP) Federal Motor Carrier Safety Administration (FMCSA) Title VI Program Compliance Plan. While the Title VI Program Compliance Plan is not a FMCSA Notice of Funding Availability (NOFA) Title VI Program requirement for Fiscal Year (FY) 2016, it will be an FMCSA NOFA Title VI Program requirement for FY 2017. FMCSA's Office of Civil Rights is using FY 2016 to work with all FMCSA Grant Applicants to ensure that each Grant Applicant has an approved FMCSA Title VI Program Compliance Plan for FY 2017.

We have reviewed your FMCSA Title VI Program Compliance Plan and find that the Plan contains all elements stipulated in the FMCSA Title VI Program Compliance Plan Checklist. Therefore, FMCSA approves the VSP's Title VI Program Compliance Plan. We do request that the VSP notify FMCSA's Office of Civil Rights should it be the object of a Title VI Program compliance review conducted by another Federal agency. In this eventuality, we will coordinate with the VSP to ensure that the Title VI Program Compliance Plan is updated with the additional information.

Regarding the future use of the Title VI Program Compliance Plan, the VSP will be ready to submit the approved Plan with the applicable FY 2017 FMCSA Grant NOFA at the appropriate time. The only update that will be necessary to the approved Title VI Program Compliance Plan will be to update the signature and date on the Policy Statement and Assurance and include any procedural changes that may have taken place in the interim.

On an annual basis, FMCSA's Office of Civil Rights will conduct compliance reviews of a representative sampling of FMCSA Grant Recipients. FMCSA has approximately 125 Recipients annually. If and/or when the VSP is chosen as one of the FMCSA Grant Recipients' Title VI Program that will be reviewed in a given year, the Office of Civil Rights will use the approved Title VI Program Compliance Plan as the basis for conducting the desk audit and will request additional documentation as deemed appropriate during the review.



In addition, a small number of Recipients who are selected for a Title VI Program compliance review will also be selected for an on-site visit which will include personnel interviews. We appreciate your future assistance in the event the VSP is chosen for a compliance review in a given year.

If at any time your Agency has Title VI Program-related questions, please do not hesitate to contact Mr. Lester Finkle, National Title VI Program Manager at (202) 366-4474 or [lester.finkle@dot.gov](mailto:lester.finkle@dot.gov).

Sincerely,



*for* Kennie J. May, Sr.  
Director  
Office of Civil Rights

Cc: Captain Jeffrey Baker, Human Resources Director, VSP  
Captain Ronald Maxey, Jr., Safety Division, VSP  
Craig Feister, Division Administrator, Virginia Division Office  
Bill Anderson, State Programs Specialist, Virginia Division Office