



VIRGINIA TRUCKING ASSOCIATION
1707 Summit Avenue, Suite 110 ★ Richmond, VA 23230
Phone: (804) 355-5371 ★ Fax: (804) 358-1374
E-mail: info@vatrucking.org
www.vatrucking.org

FMCSA'S NEW ENFORCEMENT TOOL COMPELS CARRIERS TO CHANGE NOW ITS ALL ABOUT THE DRIVER

The Federal Motor Carrier Safety Administration's new compliance - Comprehensive Safety Analysis 2010 or CSA 2010 - is scheduled to come on line (at least in parts) in July 2010.

If you have not been paying attention to CSA 2010, you should - it is going to be a Big Deal for trucking. At the recent ATA Winter Leadership meeting, a number of long-time trucking executives and leaders said they feel that CSA 2010 will be the biggest change the industry has faced since deregulation in the 1980s.

The potential impact of CSA 2010 on motor carriers is evident from the experience of interstate motor carriers in Minnesota, one of 6 states involved in testing the CSA 2010 program. Within days of the launch of the CSA 2010 pilot test in Minnesota, hundreds of safe motor carriers received warning letters stating that they were deficient, that a case file had been opened, and that they were being monitored for compliance.

Under CSA 2010, enforcement is changing from FMCSA's Compliance Review (CRs) and the 4 Safety Evaluation Areas (SEAs) - Driver, Vehicle, Accidents & Safety Management used in today's SafeStat safety management to a more performance based (on road) system. There will be 7 BASICs that focus on behaviors linked to potential crash risk. They are Unsafe Driving, Fatigued Driving, Driver Fitness, Drivers and Controlled Substances/Alcohol, Vehicle Maintenance, Cargo Related and Crash Indicators.

It will be a brand new ballgame. Federal and state safety regulators will have the data they need to monitor commercial motor vehicle safety performance through FMCSA's Data Portal. The portal contains the following information areas:

- A & I – Analysis and Information
- EMIS – Enforcement Management Information System
- MCMIS – Motor Carrier Management Information Systems
- DataQs – Dispute Safety Data
- Query Central – Information based on the latest 18 months

From Query Central, federal and state enforcement can look at vehicle summaries, carrier PRISM summaries, past roadside inspection list, carrier violation history, carrier details about out-of-service – safety ratings etc, carrier identification & safety data (carrier summary) and driver summaries. That's a lot of data that is gathered and uploaded to FMCSA's databases from the fifty (50) states.

What's different? Roadside inspections, crash reports, and related safety data will be entered into the Safety Measurement System (SMS). The SMS replaces SafeStat and measures a carrier's previous two years of roadside violations and crash data and calculates a score based on seven safety behavior areas. SMS then ranks carrier's scores relative to other carriers. SMS will also measure a driver's previous three years of roadside violations and crash data and calculates a score based on other drivers of similar sized carriers.

The key features of CSA 2010 are to:

- Increase contact with carriers and drivers
- Improve performance measurements for identifying high risk motor carriers and driver behaviors
- Correct high risk behaviors before they become chronic and habitual

FMCSA's numbers tell us the carrier and driver databases contain a lot of data - 690,000 carrier profiles and over 3.5 million driver profiles with data from over 26 million roadside inspections and over 729,000 crash records. The data will include all violations noted on inspection reports and crash reports (SafeStat only considered Out-Of-Service violations and accidents, not all violations). Consider that there are different law enforcement agencies from all around the country with many of them having different reporting standards (codes), and one can see how mistakes could be made in what winds up in your company's safety profile. Imagine for just a minute, what bad or inaccurate data could do to your fleet safety rating. FMCSA tells us that, presently, there are 32 states that are classified as good data providers, 14 in the fair category and some still rated poor. And that is where there could be problems. If CSA 2010 starts out with bad data on your company, it could be all downhill from there.

Intervention Selection will use the SMS to identify carriers with safety problems. The results will be used to determine the appropriate type of intervention based on the carriers' on-road safety performance and past intervention history. The new Intervention Process is designed to improve unsafe behavior early and to reach more carriers. Interventions range from Warning Letters for carriers with emerging problems, to Onsite Comprehensive Investigations for carriers with serious safety problems. The CSA 2010 interventions enable safety investigators to move beyond fact-finding and verification of violations to a deeper exploration of why the violations occurred and how they can be corrected. Together, with this emphasis on safety improvement, FMCSA continues to employ the full weight of its enforcement authority when a carrier's safety performance requires it.

The current Safety Ratings will be replaced with a Safety Fitness Determination (SFD). Under the proposed SFD rule, carriers would get a rating of Unfit, Marginal or Continue Operation based on their on-road safety performance data, as well

CSA 2010 is still several months away from being implemented in Virginia but Virginia-based trucking fleets should begin preparing now. The first step you can take is to attend one of the VTA's CSA 2010 seminars, where you will learn more about this new program and what you should be doing now to prepare from representatives of the Virginia Division of the Federal Motor Carrier Safety Administration.

Don't wait until you get a Warning Letter or receive an Unfit or Marginal Safety Fitness Determination - Sign up today!