ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672
6193 HOUSE TRANSPORTATION

597

173 Lemann

195 Cato - WRAP UP
Wanted address of Members of Committee

{SMD
(Marin; Operations)}

243 - ~~Who is Carmen Sims.~~ Want to know God. Faculty
for Fiske when do you get your Faculty.
· Private Faculty

Read. W/
O
R
K

9:40

HCR 20

STATE OF ALASKA
THE LEGISLATURE

POUCH Y · STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

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Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House Transportation 3/21/89

House Transportation 3/30/89

Introduced: 3/17/89
Referred: House Special Committee on Foreign Trade, Transportation and Resources

6-1038A

BY DAVIDSON, JACKO, MENARD, FOSTER, ELLIS, CATO, MARTIN NAVARRE, BROWN, ZAWACKI AND COLLINS

IN THE HOUSE

HOUSE CONCURRENT RESOLUTION NO. 26

IN THE LEGISLATURE OF THE STATE OF ALASKA

SIXTEENTH LEGISLATURE - FIRST SESSION

Supporting the establishment of Ports Alaska.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS Alaska is a maritime state with 95 percent of its population along navigable waterways; and

WHEREAS the future of the state is closely linked to the future of its ports; and

WHEREAS Alaska's ice free ports at tide water are closer to the major trade centers of the North Pacific than any other ports in North America; and

WHEREAS Ports Alaska is a federation of independent ports in the state organized to cooperate in mutually beneficial projects; and

WHEREAS the mission of Ports Alaska is to facilitate the realization of the maximum potential of Alaska's ports; and

WHEREAS Ports Alaska supports the marketing and economic development of Alaska's ports; and

WHEREAS it is important to develop a strategy to build a strong maritime industry in the state, now that state and federal revenues and expenditures are declining;

BE IT RESOLVED that the Alaska State Legislature supports the establishment of Ports Alaska and the goal of Ports Alaska to maximize the potential of the state's ports and to foster a strong maritime industry in the state.

COPIES of this resolution shall be sent to each municipality in Alaska and to each harbor master and port director in Alaska.

MARCH 30, 1989

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COMMITTEE CALENDAR

FOR THIS MEETING, YOU HAVE BEEN GIVEN:

Folder #1

HCR 26:

#1: HCR 26
#2: Fiscal Note/Commerce & Economics Development
#3: Back-up

Folder #2

Meeting/Hearing: Federal Highway Administration/Motor Carriers Safety Assistant Grants Program

Date Referred: March 23, 1989 FURTHER REFERRALS: RESOURCES

Date of Committee Action: 3/30/89

The TRANSPORTATION Committee considered: HCR 26

HOUSE CONCURRENT RESOLUTION NO. 26 [SUPPORTING PORTS ALASKA]
Supporting the establishment of Ports Alaska.

RECOMMENDATIONS:
[ ] be replaced with _____ [ ] the same title [ ] a new title
[ ] have attached amendment(s)
[Y] do pass
[ ] do not pass
[ ] no recommendation
[ ] individual recommendations
[ ] additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s): (Dept)
[ ] fiscal impact _____
[ ] zero fiscal note _____
[ ] zero with analysis _____

APPROVES PREVIOUS: (Date/Dept)
[ ] fiscal note(s) _____
[✓] zero fiscal note(s) _____
[ ] zero fn/analysis _____

SIGNING DO PASS:

Foster

Grussendorf

Leman

Hudson

SIGNING: (Check approp. column)

	Do Not Pass	No Rec	Amend

Chairman's Signature

Representative Bette Cato, Chair
House Transportation Committee

DATE: 3/30/89

PLACE: #17 House TRANS.

SUBJECT OF MEETING:

- HCR: 26

- MOTOR CARRIERS SAFTEY Assistant Grants Program

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
ROY S EHRHART II	DOT/FHWA	222 W 7th Ave Anchorage	99513	243-5961	271-4068	(Y)	N	Motor Carrier Safety Assistance Program
Tim Phillips	DOT/FHWA	708 NW 2nd AVE, PORTLAND	97209	(503) 326-4902 WORK		Y	N	MCJAP
EARL CLARK	DPS	9163 PARKWOOD		789 9235	465 2446	Y	(N)	MCSAP
Rep Cliff Davidson	HCR 26	P.O. Box U Juneau	99811	2487	2487	(Y)	~~N~~	HCR: 26
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	

Mar 30
HCR 26
Motor Carriers

Cato | Absent
~~Foster~~

Rep. Grussendorf.
8:30

017 Rep Davidson called to testify HCR 26
(written testimony) (File #1, Article #I)

Rep Foster Arrive.

070 Rep. [illegible] for [illegible] [illegible] for [illegible]

074 Hudson [illegible] State [illegible] [illegible] a [illegible] Role
079 Dunker. ————
126 Grussendorf - at [illegible] [illegible] State of AK is represented by DOT
[illegible] function for [illegible] many years without fiscal impact.

137 Davidson ————
147 Hudson [illegible] first [illegible] [illegible] officers elected
164 Dunker ————
173 Lemon - ————
181 Dunker ————
213 Lemon -
231 Foster - Consideration of hubs to Airports. Is it possible to set Anch Int'l Airport included in the Resolutions.
250 - no language now [illegible] [illegible]

262 - Hudson Supports As HCR 26 likes the idea, HCR/26
Move out with I/R
281 Foster / Any objections . So ordered.

Roy Eckhart was called to ~~testify~~ present the next order of business which was the Motor Carriers Safety Asst. Grants Program.

Officer in Charge. Office of Motor Carrier Safety, Fed Highway Admin. DOT

362 Tim Phillips, Regional Coordinator, Motor Carrier Safety Program
State Program Manager
Fed
(Written)

477 Comm - what are ARRest for multiple Comm'l Driver License

480 Tim - Can't hold a License in Different License.

502 Hudson - Are the standards the same in all States

506 Tim - One standard License for Comm'l Vehicle throughout U.S.

520 Hudson - Statist on How many Comm'l Vehicles in AR accd.

524 Ray - Data predictions from 1986 most Current - property Damage is high Volume of Traffic drivers.

(Written Article Statistics)

~~560~~ Hudson - Drug Alcohol
568 Tim - Project Deacon
574 - Hds ______
576 - Tim ______
590 Hudson ______
593 Tim ______

We ~~train~~ certify - train & monitor.

Earl Clark. Highway Safety Planning Agency

609 - Ray Gordon

613 - Ray Commit Vehicle Safety Alliance.
Few States banded together, seek solution to problems
46 State 10 provinces in Canada

~~[illegible]~~.

628 Huber

Side B

001 Larsen

029 Foster - Can you take Cascade

042 Foster.
Description of Cascade

060 Tim - State contributes 20% - 80% Fed

070 Foster

086 Foster

119 Tim Once pass inspection, won't be stopped again for 90 days

9:40

File #1, Article #1 Rep. Dunbar written testimony

TESTIMONY FOR "PORTS ALASKA"

WHAT:

"PORTS ALASKA" IS AN ORGANIZATION RECENTLY CREATED TO DEVELOP, MARKET AND FULLY REALIZE THE POTENTIAL OF ALASKA'S PORTS. IT WAS CREATED LAST YEAR BY A GROUP OF PORT DIRECTORS WHO FELT A NEED FOR GREATER COMMUNICATION AND COOPERATION BETWEEN ALASKA'S PORTS.

THIS JANUARY I ATTENDED THE FIRST MEETING OF "PORTS ALASKA" ON BEHALF OF KODIAK, THE THIRD LARGEST FISHING PORT IN THE UNITED STATES. PORT DIRECTORS, HARBORMASTERS, PORT PERSONNEL, AND ELECTED OFFICIALS FROM ACROSS THE STATE ATTENDED. WE EXAMINED THE STATUS OF OUR PORTS IN THE STATE OF ALASKA, AND COMPARED THEM TO THE PORTS OF OUR COMPETITORS IN THE SOVIET UNION, SCANDINAVIA AND CANADA.

WE LEARNED SOME EXCITING THINGS. THERE IS FAR THERE IS FAR MORE POTENTIAL FOR COMMERCE AND ECONOMIC DEVELOPMENT IN ALASKA BY HAVING OUR PORTS WORK TOGETHER THAN APART.

THE PURPOSE OF PORTS ALASKA IS TO BRING PORTS TOGETHER TO:

- PROVIDE A FORUM OF COMMUNICATION IN WHICH OUR PORTS CAN SHARE INFORMATION AND DISCUSS IDEAS
- TO CREATE AND DEVELOP MARKETING PROGRAMS
- GIVE SPECIAL CONCERN TO THE IDEA OF PORT FUNDING, PLANNING AND DEVELOPMENT
- PROVIDE EDUCATION TO PORT PERSONNEL
- ACT AS AN ADVOCATE AND SPOKESMAN FOR ALASKA'S PORT PERSONNEL
- CREATE AN IMAGE OF PROFESSIONALISM AND INTERNATIONALISM TO PORT USERS

HOUSE CONCURRENT RESOLUTION 26 ASKS THE ALASKA STATE LEGISLATURE TO RECOGNIZE AND SUPPORT THE CONCEPT OF "PORTS ALASKA".

I THANK YOU FOR YOUR CONSIDERATION OF THIS RESOLUTION AND ASK YOUR FAVORABLE SUPPORT.

I'LL BE HAPPY TO ANSWER ANY QUESTIONS.

THANK YOU.

he should not mention

II. INTERNATIONAL MARKET PLACE

-LONG TERM ADVANTAGE TO ALASKA'S PORTS ~~WORKING TOGETHER~~ IN THE INTERNATIONAL MARKET PLACE

-MR. PAUL FUHS, MAYOR OF UNALASKA ADDRESSED THIS TOPIC WHEN THE RESOLUTION WAS HEARD IN THE HOUSE FOREIGN AND DOMESTIC TRADE MEETING. ENCLOSED ARE THE MINUTES FROM THAT MEETING.

- ALSO ENCLOSED ARE ARTICLES ON THE SOVIET UNION'S NORTHERN SEA ROUTE AND THE ADVANCES THEY HAVE MADE IN ARCTIC TRANSPORT, PARTICULARLY WITH TRANSPORTING THEIR SIBERIAN NATURAL RESOURCES TO EUROPE THROUGH THIS POLAR ROUTE.

-ALSO IS ENCLOSED IS THE PUBLICATION PORTS ALASKA, USED TO ADVERTISE THIS RECENTLY CREATED ORGANIZATION.

MCSAP PRESENTATION

File #I, Article 4

written Testimony - Tim Phillips

- MNTP IS IN WITH THE U.S. DOT, FHWA, OMCS. WE'RE HERE TO TALK TO YOU TODAY ABOUT COMMERCIAL VEHICLE SAFETY. THE FHWA IS THE FEDERAL AGENCY RESPONSIBLE FOR ENFORCING ~~THE FEDS~~ ~~SAFETY~~ THE FEDERAL SAFETY REGULATIONS THAT PERTAIN TO THE OPERATION OF COMMERCIAL VEHICLES LARGER THAN 10,000 LBS. THE FHWA, THROUGH THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS AND HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS, ~~REGULATES~~ SEEKS TO REDUCE THE NUMBER AND SEVERITY OF COMMERCIAL VEHICLE ACCIDENTS BY ENFORCING CERTAIN SAFETY REGULATIONS ~~PERTAINING TO~~ 1) QUALIFICATION OF DRIVERS 2) DRUG AND SUBSTANCE ABUSE BY DRIVERS 3) HOURS OF SERVICE OF COMMERCIAL DRIVERS 4) MAINTENANCE OF EQUIPMENT AND 5) THE SAFE TRANSPORTATION OF HAZARDOUS MATERIALS. AND 6) INSURANCE REQUIREMENTS
- OUR PURPOSE IN SPEAKING TO YOU TODAY IS TO ENCOURAGE YOU TO ADOPT THE FEDERAL SAFETY REGULATIONS OR TO ADOPT COMPARIBLE STATE REGULATIONS IN ORDER THAT WE MAY WORK TOGETHER IN THE STATE OF ALASKA TO INITIATE A COMM VEHICLE SAFETY INSPECTION PROGRAM. THIS JOINT SAFETY PROGRAM BETWEEN FHWA AND THE VARIOUS STATES IS KNOWN AS THE MOTOR CARRIER SAFETY ASSISTANCE PROGRAM, OR MCSAP. I WOULD LIKE TO BRIEFLY DESCRIBE FOR YOU WHAT THE MCSAP PROGRAM IS AND ANSWER ANY QUESTIONS THAT YOU MAY HAVE.
- BEFORE GIVING YOU AN OVERVIEW OF THE MCSAP PROGRAM, I WOULD LIKE TO GIVE YOU A HISTORICAL PERSPECTIVE OF OUR ORGANIZATIONS ACTIVITIES IN THE FIELD OF COMMERCIAL MOTOR VEHICLE SAFETY AND THE REASON FOR THE CREATION OF THE MCSAP PROGRAM. PRIOR TO 1982, THE OMCS EMPLOYED APPROXIMATELY 150 FIELD ENFORCEMENT OFFICERS. AT THAT TIME THERE WERE SOMEWHERE IN THE NEIGHBORHOOD OF 5 MILLION COMMERCIAL DRIVERS & VEHICLES BEING OPERATED ON THE NATIONS HIGHWAYS BY SEVERAL HUNDRED THOUSAND COMPANIES. OUR FEDERAL INSPECTORS, IN ADDITION TO OTHER DUTIES, WERE ABLE TO ~~CONDUCT~~ CONDUCT SAFETY INSPECTIONS ON ONLY A FEW THOUSAND VEHICLES PER YEAR - IN OTHER WORDS - LESS THAN ~~1%~~ TO 0% 1% OF THE TOTAL TRUCK POPULATION. OUR BUDGET WAS APPROX 5 MILLION DOLLARS A YEAR. IN CONTRAST, CALIFORNIA'S BUDGET WAS 3 TIMES THAT SIZE - LARGER THAN THE FEDERAL BUDGET. WITH THE DEREGULATION OF THE TRUCKING INDUSTRY IN 1980, THERE HAS BEEN A TREMENDOUS INCREASE IN THE NO. OF TRUCKS AND TRUCKING COMPANIES.
- CONGRESS RECOGNIZED THAT AT PRESENT AND PROJECTED LEVELS OF FUNDING AND PERSONNEL, THAT

USDOT

(1A)

WE WOULD NOT BE ABLE TO ACCOMPLISH OUR HIGHWAY SAFETY MISSION WITHOUT THE ASSISTANCE OF THE STATES. CONGRESS THEREFORE PASSED THE SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982. THIS ACT AUTHORIZED THE MOTOR CARRIER SAF ASST. PROG. UNDER THIS PROGRAM THE FHWA PROVIDES GRANTS TO STATES TO ENFORCE FEDERAL OR COMPATIBLE STATE MOTOR CARRIER SAFETY AND HAZ MAT REGULATIONS THROUGH A ROADSIDE ~~FEW~~ DRIVER/VEHICLE INSPECTION PROGRAM. THE MCSAP ~~WAS~~ IS DESIGNED TO FUNCTION AS A STATE/FEDERAL PARTNERSHIP PROGRAM.

- THE OBJECTIVE OF THE MCSAP PROGRAM IS TO REDUCE THE NUMBER AND SEVERITY OF ACCIDENTS AND HAZARDOUS MATERIALS INCIDENTS INVOLVING COMMERCIAL MOTOR VEHICLES. THE MCSAP SEEKS TO ACCOMPLISH THIS BY SUBSTANTIALLY INCREASING THE LEVEL OF INSPECTION AND ENFORCEMENT ACTIVITY AND THE LIKELIHOOD THAT SAFETY DEFECTS, DRIVER DEFICIENCIES, AND UNSAFE CARRIER PRACTICES WILL BE DETECTED AND CORRECTED.

- MCSAP IS A MATCHING GRANT-IN-AID PROGRAM WITH THE FEDERAL GOVT PROVIDING 80% OF THE COSTS OF THE STATE'S ENHANCED SAFETY ENFORCEMENT ACTIVITIES

- THERE ARE TWO TYPES OF MCSAP GRANTS

1) DEVELOPMENT GRANTS
2) IMPLEMENTATION GRANTS

DEVELOPMENT GRANTS - DEVELOPMENT GRANTS ARE ISSUED FOR THE PURPOSE OF ASSISTING THOSE STATES ~~WHEREIN~~ THAT HAVE AND NOT ADOPTED THE FMCSR OR COMPATIBLE STATE REGULATIONS OR DO NOT HAVE A STRONG COMMERCIAL VEHICLE INSPECTION PROGRAM. DEVELOPMENT GRANT FUNDS CAN BE USED FOR SEVERAL PURPOSES

1) PROGRAM PLANNING
2) TRAINING - TO TRAIN INSPECTORS/OFFICERS IN UNIFORM VEHICLE INSPECTION PROCEDURES
3) ADMINISTRATIVE COST - COSTS ASSOCIATED WITH ~~PREPARING~~ PREPARATION PRIOR TO ENTERING AN INSPECTION PROGRAM - PRINTING INSPECTION FORMS ETC. SETTING COMPUTER UP
4) COST ASSOC WITH PREPARING THE NECESSARY LEGISLATION TO ADOPT FMCSR
5) PREPARING AN SEP

DEVELOPMENT GRANTS ARE AVAILABLE FOR A MAXIMUM OF 3 YEARS AND THE MAXIMUM FUNDING ALLOWED UNDER A DEVELOPMENT GRANT IS 50,000.
ALASKA IS IN 2nd YEAR OF DEVELOPMENT. PURPOSE OF OUR VISIT IS TO ENCOURAGE STATE TO ADOPT FMCSR OR COMPATIBLE RULES & REGULATIONS AND TO ENTER IMPLEMENTATION PHASE.

IMPLEMENTATION GRANTS - ARE THOSE GRANTS WHEREIN FMCSR REQUIRES

THE STATE FOR 1) RECRUITING AND TRAINING OF PERSONNEL, PAYMENT OF SALARIES AND FRINGE BENEFITS 2) COMMENCEMENT OF A NEW VEH INSPECTION PROGRAM OR THE ENHANCEMENT OF AN ALREADY EXISTING PROGRAM 3) THE ACQUISITION AND MAINTENANCE OF EQUIPMENT AND 4) RETRAINING AND REPLACING STAFF + EQUIPMENT

- THE FUNDS AVAILABLE TO ANY STATE FOR IMPLEMENTATION PURPOSES IN ANY ONE YEAR ARE DISTRIBUTED ACCORDING TO AN ALLOCATION FORMULA BASED ON 5 FACTORS
  - ROAD MILEAGE
  - VEHICLE MILES TRAVELED
  - NUMBER OF COMMERCIAL VEHICLES 70,000 LBS
  - POPULATION
  - SPECIAL FUEL CONSUMPTION
- IN 1984, THE FIRST YEAR OF MCSAP, CONGRESS APPROPRIATED 8 MILLION DOLLARS AND 17 STATES PARTICIPATED IN IMPLEMENTATION GRANTS 29 STATES IN DEVELOPMENT GRANTS
- IN 1986 CONGRESS PASSED THE COMMERCIAL MOTOR VEHICLES SAFETY ACT WHICH 1) REAUTHORIZED THE MCSAP PROGRAM 2) GAVE FHWA CONTRACT AUTHORITY 3) FUNDED MCSAP FROM THE HIGHWAY TRUST FUND
- IN 1989, 60 MILLION WAS BEEN APPROPRIATED FOR THE MCSAP PROGRAM. 46 STATES ARE PARTICIPATING IN IMPLEMENTATION GRANTS AND 2 STATES ARE IN DEVELOPMENT
  - STATES PARTICIPATING IN MCSAP CANNOT RECEIVE ANY LESS THAN THE MINIMUM BASIC ALLOCATION OF 225,000 PER YR NOR MORE THAN 2.5 MILLION PER YR. (NOT BASED ON FORMULA)
  - THOSE STATES THAT DO NOT SPEND ALL OF THEIR BASIC ALLOCATION TURN UNUSED

FUNDS BACK INTO A DISCRETIONARY FUND POOL. OTHER STATES CAN THEN APPLY FOR AND RECEIVE DISCRETIONARY FUNDS OVER AND ABOVE THE BASIC ALLOCATION FUNDING. THESE FUNDS CAN BE USED FOR ENHANCED INSPECTIONS OR SPECIAL PROJECTS, SUCH AS IDAHOS CDL PROJECT. IDAHO RECEIVED DISCRETIONARY FUNDING TO RUN COMMERCIAL DRIVER ONLY LICENSE CHECKS BY TROOPERS. THIS PROJECT RESULTED IN THOUSANDS OF ARRESTS FOR DRIVER DRIVING ON SUSP LICENSES | MULTIPLE LICENSES | OUTSTANDING WARRANTS.

- DRIVER/VEHICLE INSPECTION ACTIVITIES

THERE ARE 4 TYPES OF INSPECTIONS FUNDED BY MCSAP

1) LEVEL I INSPECTION - REPRESENT MOST OF THE NCSAP FUNDED INSPECTIONS. COMPLETE INSPECTION OF VEHICLE INCLUDING BRAKING SYSTEM, SUSPENSION, WHEELS, TIRES, STEERING ETC. USING A STANDARDIZED UNIFORM VEHICLE INSPECTION PROCEDURE VEHICLES FOUND TO HAVE CRITICAL "OUT-OF-SERVICE VIOLATIONS" ARE REQUIRED TO MAKE REPAIRS RIGHT ON THE SPOT OR IN SOME INSTANCES ALLOWED ONLY TO OPERATE TO THE CLOSEST PLACE OF REPAIR. DRIVERS ARE ALSO CHECKED AND UNDERAGE, UNQUALIFIED, ILL OR FATIGUED DRIVERS, DRIVER OPERATING UNDER THE INFLUENCE OF DRUGS OR ALCOHOL OR DRIVERS HAVING EXCEEDED THE MAXIMUM PERMISSIBLE HOURS-OF-SERVICE ARE REMOVED FROM THE VEHICLE CHECK TRANSPORTATION OF HAZARDOUS MATERIALS

LEVEL II INSP - WALK-AROUND DRIVER/VEHICLE INSP

LEVEL III INSP - DRIVER ONLY INSP

LEVEL IV (N)P - SPECIAL INSPECTION

RESULTS OF MCSAP PROGRAM

1) IN 1984, OVER 1,000 OFFICERS WERE TRAINED IN VEHICLE INSPECTION PROCEDURES TO DATE, OVER 4000 ENFORCEMENT OFFICERS HAVE RECEIVED INSPECTION TRAINING, WITH 3200 TRAINED IN THE SAFE TRANSPORTATION OF HAZARDOUS MATERIALS

2) IN 1984, 158,730 COMMERCIAL VEHICLE INSPECTIONS WERE CONDUCTED BY STATE ENFORCEMENT OFFICERS

IN 1988, OVER 1 MILLION INSPECTIONS WERE CONDUCTED

3) AS EVIDENCED BY THE ATTACHED GRAPH, MOST STATES IMPLEMENTING A MCSAP PROGRAM HAVE EXPERIENCED A REDUCTION IN THE NUMBER AND SEVERITY OF COMMERCIAL MOTOR VEHICLE ACCIDENTS

CVSA

CVSA IS AN ORGANIZATION OF STATE AND PROVINCIAL AGENCIES IN THE UNITED STATES AND CANADA DEDICATED TO THE IMPROVEMENT OF COMMERCIAL MOTOR VEHICLE SAFETY. MEMBERSHIP INCLUDES 46 STATES + 10 CANADIAN PROVINCES

WHAT CVSA IS - ALASKA IS MEMBER
PROMOTES
- UNIFORMITY OF SANCTIONS / FINES
- UNIFORMITY OF INSPECTION PROCEDURES
- UNIFORMITY OF TRAINING
- CVSA WORKS IN PARTNERSHIP WITH FHWA TO SET UNIFORM INSPECTION PROCEDURES, OUT-OF-SERVICE CRITERIA, ETC.

RECIPROCITY
- CVSA STICKERS
- REINSPECTION OF CVSA STICKERED VEHICLES

IN SUMMARY

THE MOTOR CARRIER SAFETY ASSISTANCE PROGRAM HAS HELPED TO INCREASE UNIFORMITY OF STATE AND FEDERAL MOTOR CARRIER SAFETY AND HAZARDOUS MATERIALS TRANSPORTATION LAWS. THE PROGRAM HAS IMPROVED THE CONDITION OF COMMERCIAL MOTOR VEHICLES OPERATING ON THE PUBLIC HIGHWAYS. THE PROGRAM HAS ALSO REDUCED THE NUMBER OF COMMERCIAL VEHICLE ACCIDENTS AND THE NUMBER OF DEATHS AND INJURIES THAT MIGHT HAVE OTHERWISE BEEN CAUSED BY COMMERCIAL MOTOR VEHICLE ACCIDENTS.

APPENDIX A

NORTH AMERICAN UNIFORM OUT-OF-SERVICE CRITERIA

February 15, 1989

COMMERCIAL VEHICLE SAFETY ALLIANCE

****

THIS DOCUMENT REPLACES AND SUPERSEDES ALL PREVIOUS OUT-OF-SERVICE CRITERIA.

Article #3
Roy Earhart testimony

APPENDIX A
Part I

NORTH AMERICAN UNIFORM DRIVER OUT-OF-SERVICE CRITERIA

POLICY STATEMENT

The purpose of this part is to identify driver violations that render the commercial vehicle operator unqualified to drive or out-of-service. The necessity for all enforcement personnel to implement and adhere to these standards is: (1) a matter of law; (2) perceived as necessary by the society we are charged with protecting and (3) a professional obligation if substantial enhancement in the safety of commercial vehicle operators is to be achieved.

Except where state, provincial or federal laws preclude enforcement of a named item, motor carrier safety enforcement personnel and their jurisdictions shall comply with these driver standards.

OUT-OF-SERVICE VIOLATION: Violations under this category preclude further operation of a commercial motor vehicle by its driver for a specified period of time or for some violations until a required condition is met. An example of the former standard is hours of service violations.

February 15, 1989

NORTH AMERICAN UNIFORM DRIVER OUT-OF-SERVICE CRITERIA

	INSPECTION ITEM	OUT-OF-SERVICE CONDITION	ENFORCEMENT ACTION
1.	**Driver's age**	Is not at least 21 years of age (interstate or foreign commerce), also applicable to intrastate drivers transporting hazardous materials of a type or quantity requiring placards. (391.11 B1)	Remove driver.
2.	**Operator's license or permit.**	Is not licensed to operate the class and type of vehicle being operated. Out-of-service action to be initiated only upon home state license verification. (391.11 B7)	Remove driver.
3.	**Waiver of physical disqualification.**	No waiver of physical disqualification in possession, when required. (391.49)	Remove driver.
4.	**Sickness or fatigue.**	When so impaired that the driver should not continue the trip. (392.3)	Remove driver until no longer impaired.
5.	**Driver disqualification.**	Driver disqualification under the provisions of (391.15).	Remove driver until requalification is established.
6.	**Drugs and other substances: as identified under Part 392.4(a).**		
	a. **Shall not be in possession.**	Is in possession. (392.4)	Out-of-service for 24 hours.

February 15, 1989

	INSPECTION ITEM	OUT-OF-SERVICE CONDITION	ENFORCEMENT ACTION
	b. **Shall not be under the influence.**	Is under the influence, with probable cause. (392.4)	Out-of-service for 24 hours.
7.	**Intoxicating beverage.**		
	a. **Shall not be in possession.**	Is in possession. (392.5)	Out of service for 24 hours.
	b. **Shall not consume.**	Has consumed within the last 4 hours (392.5)	Out of service for 24 hours.
	c. **Shall not be under the influence.**	Is under the influence. (392.5)	Out of service for 24 hours.
8.	**Highway route controlled radioactive materials.**		
	Certificate of training.	No certificate of training in possession. (177.825)	Out of service until certificate of training is present.
9.*	**Driver's record of duty status.**	Driving more than 10 hours following 8 consecutive hours off duty. (395.3A1)	To be placed out-of-service for 8 consecutive hours.
10.*	**Driver's record of duty status.**	Driving for any period after having been on duty 15 hours following 8 consecutive hours off duty. (395.3 A2)	To be placed out-of-service for 8 consecutive hours.

February 15, 1989

	INSPECTION ITEM	OUT-OF-SERVICE CONDITION	ENFORCEMENT ACTION
11.*	**Driver's record of duty status.**	Driving after being on duty more than 60 hours in 7 consecutive days or 70 hours in 8 consecutive days.	To be placed out-of-service until such time as eligibility to drive is re-established.
12.	**Driver's record of duty status.**	No record of duty status in possession when one is required. (395.8 A)	To be placed out-of-service for 8 consecutive hours.
13.	**Driver's record of duty status.**	Failing to have a record of duty status current on the day of examination and for the prior 7 consecutive days. (395.8 K3)	To be placed out-of-service for 8 consecutive hours.
14.	**Driver's record of duty status.**	A record of duty status that does not accurately reflect the driver's actual activities and duty status (including time and location of each duty status change and the time spent in each duty status) in an apparent attempt to conceal a violation of an hours of service limitation. (395.8 E)	To be placed out-of-service for 8 consecutive hours.

*(a) Drivers involved in sleeper berth (sleeper teams) placed out of service for "hours" violations can be replaced by a co-driver, if the co-driver has hours available to drive.

(b) A solo driver using a sleeper berth to obtain rest who exceeds the hours of service limitations shall be placed out of service until said driver has hours available to drive.

February 15, 1989

APPENDIX A
Part II

NORTH AMERICAN UNIFORM VEHICLE OUT-OF-SERVICE CRITERIA

POLICY STATEMENT

The purpose of this part is to identify critical vehicle inspection items and provide criteria for placing a vehicle(s) in an out-of-service or restricted service category subsequent to a safety inspection.

OUT OF SERVICE CONDITION: When any motor vehicle(s) by reason of its mechanical condition or loading, is determined to be so imminently hazardous as to likely cause an accident or breakdown, or when such condition(s) would likely contribute to loss of control of the vehicle(s) by the driver, said vehicle(s) shall be placed out-of-service. No motor carrier shall require nor shall any person operate any motor vehicle declared and marked "out-of-service" until all required repairs have been satisfactorily completed.

RESTRICTED SERVICE CONDITION: Flexibility is necessary to accommodate unique situations inherent in each jurisdiction. Any motor vehicle(s) discovered to be in a restricted service condition (Column 3) while being operated on the highway may be placed "out-of-service" at the inspection site of allowed to continue in operation to a repair facility at a distance not to exceed 25 miles, only if, at the discretion of the inspector, it is less hazardous to the public than to permit the vehicle to remain at the inspection site.

Violations other than out-of-service or restricted service conditions detected during the inspection process will not preclude the completion of the current trip or dispatch. However, such violations must be corrected or repaired prior to re-dispatch.

February 15, 1989

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
1. Brake System		
a. Defective Brakes.	The number of defective brakes is equal to or greater than 20% of brakes on the vehicle or combination. A defective brake includes any brake that meets one of the following criteria: (NOTE: Steering axle brakes under lb. -- may also be included in 20% criterion.)	
	Absence of braking action upon cation of the service brakes (such as brake shoe(s) failing to move upon application of a wedge, S-cam, cam or disc brake.) (393.48A)	
	(2) Missing or broken mechanical components including: shoes, linings, pads, springs, anchor pins, spiders, cam rollers, push-rods and air chamber mounting bolts. (393.48A)	
	(3) Loose brake components including air chambers, spiders and cam shaft support brackets. (393.48A)	
	(4) Audible air leak at brake chamber, (Example-ruptured diaphragm loose chamber clamp, etc.). NOTE: Also check under 1h. -- Air Loss Rate. (396.3A1)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION

(5) Readjustment limits. With engine off and reservoir pressure of 80 to 90 PSI with brakes fully applied.

(a) One brake at 1/4 inch or more beyond the readjustment limit. (Example: Type 30 clamp type brake chamber push-rod measured at 2-1/4 inches would be one defective brake) (396.3A1)

(b) Two brakes at the readjustment limit or less than 1/4 inch beyond the readjustment limit also equal one defective brake. Example: Clamp type 30 puch-rods measure:

1 - Two at 2-1/8 inches;
2 - One at 2-1/8 inches and one at 2 inches; or
3 - Two at 2 inches

Each example would equal one defective brake.

(See the following chart.) (396.3A1)

Brake Adjustment. Shall not meet those specifications contained hereunder relating to "Maximum Stroke which brakes must be readjusted". (Dimensions in inches.)

CLAMP TYPE BRAKE CHAMBER DATA

TYPE	EFFECTIVE AREA (SQ. IN.)	OUTSIDE DIAMETER	MAXIMUM STROKE AT WHICH BRAKES MUST BE READJUSTED
6		4-1/2	1-1/4
9		5-1/4	1-3/8
12		5-11/16	1-3/8
16		6-3/8	1-3/4
20		6-25/32	1-3/4
24		7-7/32	1-3/4 (See note)
30		8-3/32	2
36		9	2-1/4

NOTE: 2 inches for long stroke design.

BOLT TYPE BRAKE CHAMBER DATA

A	12	6-15/16	1-3/8
B	24	9-3/16	1-3/4
C	16	8-1/16	1-3/4
D	6	5-1/4	1-1/4
E	9	6-3/16	1-3/8
F	36	11	2-1/4
G	30	9-7/8	2

ROTOCHAMBER DATA

9	4-9/32	1-1/2
12	4-13/16	1-1/2
16	5-13/32	2
20	5-15/16	2
24	6-13/32	2
30	7-1/16	2-1/4
36	7-5/8	2-3/4
50	8-7/8	3

WEDGE BRAKE DATA

Movement of the scribe mark on the lining shall not exceed 1/16 inch.

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INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
	(6) Brake linings or pads. (Except on power unit steering axles.)	
	(a) Lining or pad is not firmly attached to the shoe. (393.47)	
	(b) Saturated with oil, grease or brake fluid. (393.47)	
	(c) Air Brakes: Lining with a thickness less than 1/4 inch or to wear indicator if lining is so marked, measured at the shoe center for drum brakes or less than 1/8 inch for disc brakes. (393.47)	
	(d) Hydraulic and electric brake: Lining with a thickness 1/16" or less at the shoe center for drum brakes. (393.47)	
	(7) Missing brake on any axle required to have brakes. (393.42)	
b. **Steering Axle Brakes.**		
	(1) Absence of braking action on any steering axle of any vehicle required to have steering axle brakes including the dolly and front axle of a full trailer. (393.48A)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
	(2) Mismatch across any power unit steering axles of:	
	(a) Air chamber sizes (393.48A)	
	(b) Slack adjuster length (393.48A)	
	(3) Brake linings or pads on the steering axle of any power unit:	
	(a) Lining or pad is not firmly attached to the shoe. (393.47)	
	(b) Saturated with oil, grease or brake fluid. (393.47)	
	(c) Lining with a thickness less than 3/16 inch for a shoe with a continuous strip of lining or 1/4 inch for a shoe with two pads for drum brakes or to wear indicator if lining is so marked, or less than 1/8 inch for air disc brakes, and 1/16 inch or less for hydraulic disc and electric brakes. (393.47)	
End of 20% factor		End of 20% factor.
c. Parking Brakes.		(1) No brakes on the vehicle or combination are applied upon actuation of the parking brake control, including driveline hand-controlled parking brake. (393.41)

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
d. Brake Drums or Rotors (Discs).	(1) Drums with any external crack or cracks that open upon brake application. (NOTE: Do not confuse short hairline heat check cracks with flexural cracks.) (396.3A1)	
	(2) Any portion of the drum or rotor (discs) missing or in danger of falling away. (396.3A1)	
e. Brake Hose.	(1) Hose with any damage extending through the outer reinforcement ply. (Rubber impregnated fabric cover is not a reinforcement ply.) (Thermoplastic nylon may have braid reinforcement or color difference between cover and inner tube. Exposure of second color is out of service.) (396.3A1)	
	(2) Bulge/swelling when air pressure is applied. (396.3A1)	
	(3) Hose with audible leak at other than a proper connection. (396.3A1)	
	(4) Two hoses improperly joined such as a splice made by sliding the hose ends over a piece of tubing and clamping the hose to the tube. (When, at the point of the splice, hoses can be moved or separated by hand.) (393.46)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
		(5) Two hoses improperly joined such as a splice made by sliding the hose ends over a piece of tubing and clamping the hose to the tube. (When, at the point of the splice, hoses cannot be moved or separated by hand.) (393.46B)
	(6) Air hose cracked, broken or crimped in such a manner as to restrict air flow. (396.3A1)	
f. Brake Tubing.	(1) Tubing with an audible leak at other than a proper connection. (396.3A1)	
	(2) Tubing cracked, damaged by heat, broken or crimpled. (396.3A1)	
g. Low Pressure Warning Device.		(1) Missing, inoperative, or does not operate at 55 PSI and below, or 1/2 the governor cutout pressure, whichever is less. (NOTE: Check exemptions in CFR 49 Section 393.51(g)). (393.51)

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
h. **Air Loss Rate.**	(1) If an air leak is discovered and the reservoir pressure is not maintained when: governor is cut-in; reservoir pressure is between 80 and 90 PSI engine is at idle, and service brakes are fully applied (396.3A1)	
i. **Tractor-Protection.**	(1) Inoperable or missing tractor protection valve(s) on power unit. (393.43)	
j. **Air Reservoir.**		(1) Broken, missing or loose mounting bolts or brackets (not including defective bushings). (393.50)
k. **Air Compressor (Normally to be inspected when readily visible or when conditions indicate compressor problems).**		(1) Compressor drive belts in condition of impending or probable failure. (396.3A1)
	(2) Loose compressor mounting bolts. (396.3A1)	
	(3) Cracked, broken or loose pulley. (396.3A1)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
	(4) Cracked or broken mounting brackets, braces or adapters. (396.3A1)	
l. **Electric Brakes.**	(1) Absence of braking action on 20% or more of the braked wheels of a vehicle or combination of vehicles. (393.48A)	
	(2) Missing or inoperable breakaway braking device. (393.48A)	
m. **Hydraulic Brakes (Including: Power Assist Over Hydraulic and Engine Drive Hydraulic Booster).**	(1) No pedal reserve with engine running except by pumping pedal. (396.3A1)	
	(2) Master cylinder less than 1/4 full. (NOTE: Normally to be inspected when readily visible or problems are apparent). (396.3A1)	
	(3) Power assist unit fails to operate. 396.3A1)	
	(4) Seeping or swelling brake hose(s) under application of pressure. (396.3A1)	
	(5) Missing or inoperative check valve. (396.3A1)	
	(6) Any visually observed leaking hydraulic fluid in the brake system. (When item #2 is present.) (396.3A1)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
		(7) Any visually observed leaking hydraulic fluid in the brake system. (396.3A1)
	(8) Hydraulic hose(s) abraded (chafed) through outer cover-to-fabric layer. (393.45)	
	(9) Fluid lines or connections restricted, crimped, cracked or broken. (396.3A1)	
		(10) Brake failure light/low fluid warning light on and/or inoperative. (393.51)
n. Vacuum System.	(1) Insufficient vacuum reserve to permit one full brake application after engine is shut off. (393.50)	
	(2) Vacuum hose(s) or line(s) restricted, abraded (chafed) through outer cover-to-cord ply, crimped, cracked, broken or has collapse of vacuum hose(s) when vacuum is applied. (396.3A1)	
		(3) Lacks an operative low-vacuum warning device as required. (NOTE: Check exemptions in CFR 49 Section 393.51(g)). (393.51)

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
2. Coupling Devices. (When in use.)		
a. Fifth Wheels.	(1) Mounting to Frame.	
	(a) More than 20 % of fasteners on either side missing or ineffective. (393.70)	
	(b) Any movement between mounting components. (393.70)	
	(c) Any mounting angle iron cracked or broken. SPECIAL NOTE: Any repair weld cracking, well defined (especially open) cracks in stress or load-bearing areas, cracks through 20% or more original welds or parent metal. (393.70)	
	(2) Mounting Plates and Pivot Brackets.	
	(a) More than 20% of fasteners on either side missing or ineffective. (393.70)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
		(b) Any welds or parent metal cracked. SPECIAL NOTE: Any repair weld cracking, well defined (especially open) cracks in stress or load-bearing areas, cracks through 20% or more original welds or parent metal. (393.70)
	(c) More than 3/8 inch horizontal movement between pivot bracket pin and bracket. (393.70)	
	(d) Pivot bracket pin missing or not secured. (393.70)	
(3) Sliders.		
	(a) More than 25% of latching fasteners, per side, ineffective. (393.70)	
	(b) Any fore or aft stop missing or not securely attached. (393.70)	
	(c) Movement of more than 3/8 inch between slider bracket and slider base. (393.70)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
		(d) Any slider component cracked in parent metal or weld. SPECIAL NOTE: Any repair weld cracking, well defined (especially open) cracks in stress or load-bearing areas, cracks through 20% or more original welds or parent metal. (393.70)
	(4) Lower Coupler.	
	(a) Horizontal movement between the upper and lower fifth wheel halves exceeds 1/2 inch. (393.70)	
	(b) Operating handle not in closed or locked position.(393.70)	
	(c) Kingpin not properly engaged. (393.70)	
		(d) Separation between upper and lower coupler allowing light to show through from side to side. (393.70)
	(e) Cracks in fifth wheel plate.	
	SPECIAL NOTE: Any repair weld cracking, well defined (especially open) cracks in stress or load-bearing areas, cracks through 20% or more original welds or parent metal.	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
	EXCEPTIONS: (1) Cracks in fifth wheel approach ramps, and (2) Casting shrinkage cracks in the ribs of the body of a cast fifth wheel.	
	(f) Locking mechanism parts missing, broken or deformed to the extent the kingpin is not securely held. (393.70)	
b. **Pintle Hooks.**	(1) Mounting to Frame.	
	(a) Any missing or ineffective fasteners. (Trailer 393.70C/Driveaway 393.71)	
	NOTE: A fastener is not considered missing if there is an empty hole in the device but no corresponding hole in the frame and vice versa.	
	(b) Mounting surface cracks extending from points of attachment (e.g., cracks in the frame at mounting bolt holes). (Trailer 393.70C/Driveaway 393.71)	
	(c) Loose mounting. (Trailer 393.70C/ Driveaway 393.71)	
	(d) Frame cross member providing pintle hook attachment cracked. (Trailer 393.70C/Driveaway 393.71)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
	(2) Integrity.	
	(a) Cracks anywhere in the pintle hook assembly. (Trailer393.70C/Driveaway 393.71)	
		(b) Any welded repairs to the pintle hook. (Trailer 303.70C/Driveaway 393.71)
	(c) Section reduction visible when coupled. NOTE: No part of the horn should have any section reduced by more than 20%. If wear can be seen when the hook and eye are coupled it is probable that either this condition or that described in c.(2)(b) exists. (Trailer 393.70C/Driveaway 393.71)	
	(d) Latch insecure. (Trailer 393.70C/Drive-away 393.71)	
c. Drawbar Eye.	(1) Mounting.	
	(a) Any cracks in attachment welds. (Trailer 393.70C/Driveaway 393.71)	
	(b) Any missing or ineffective fasteners. (Trailer 393.70C/Driveaway 393.71)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
	(2) Integrity.	
	(a) Any cracks. (Trailer 393.70C/Driveaway 393.71)	
	(b) Section reduction visible when coupled. NOTE: No part of the eye should have any section reduced by more than 20%. If wear can be seen when the hook and eye are coupled it is probable that either this condition or that described in b.(2)(c) exists. (Trailer 303.70C/ Driveaway 393.71)	
d. Drawbar/Tongue.	(1) Slider (power/manual).	
	(a) Ineffective latching mechanism. (Trailer 393.70C/Driveaway 393.71)	
	(b) Missing or ineffective stop. (Trailer 393.70C/Driveaway 393.71)	
	(c) Movement of more than 1/4 inch between slider and housing. (Trailer 393.70C/ Driveaway 393.71)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
	(d) Any leaking air or hydraulic cylinders, hoses or chambers (other than slight oil weeping normal with hydraulic seals). (Trailer 393.70C/Driveaway 393.71)	
	(2) Integrity	
	(a) Any cracks. (Trailer 393.70C/ Driveaway 393.71)	
	(b) Movement of 1/4 inch between sub frame and drawbar at point of attachment. (Trailer 393.70C/Driveaway 393.71)	
e. **Safety Devices.**	(1) Missing. (393.70C)	
	(2) Unattached or incapable of secure attachment. (393.70C)	
		(3) Chains and hooks worn to the extent of a measurable reduction in link cross section. (393.70C)
		(4) Improper repairs to chains and hooks including welding, wire, small bolts, rope and tape. (393.70C)

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
		(5) Kinks or broken cable strands. (393.70C)
		(6) Improper clamps or clamping on cables. (393.70C)
f. Saddlemounts. (Method of Attachment)	(1) Any missing or ineffective fasteners. (393.71)	
	(2) Loose mountings. (393.71)	
	(3) Any cracks or breaks in a stress or load-bearing member 393.71)	
	(4) Horizontal movement between upper and lower saddlemount halves exceeds 1/4 inch. (393.71)	
3. Exhaust System.	(1) Any exhaust system leaking at a point forward of or directly below the driver/ sleeper compartment and when the floor pan is in such condition as to permit entry of exhaust fumes. (393.83C)	
		(2) Any exhaust system leaking at a point forward of or directly below the driver/sleeper compartment. (393.83C)

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
	(3) Any bus exhaust system leaking or discharging under the chassis more than 6 inches forward of the rearmost part of the bus when powered by a gasoline engine, or more than 15 inches forward of the rearmost part of the bus when powered by other than a gasoline engine. (393.83B)	
	(4) No part of the exhaust system of any motor vehicle shall be so located as would be likely to result in burning, charring or damaging the electrical wiring, the fuel supply, or any combustible part of the motor vehicle.	
4. Fuel System.	(1) A fuel system with a visible leak at any point (including refrigeration or heater fuel systems). (393.67)	
		(2) A fuel tank filler cap missing. (393.67)
		(3) A fuel tank not securely attached to the motor vehicle by reason of loose, broken or missing mounting bolts or brackets. (NOTE: Some fuel tanks use springs or rubber bushings to permit movement.) (393.65)

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
5. Lighting Devices.		
a. When Lights Are Required.	(1) Headlamps - The single vehicle or towing vehicle does not have at least one head lamp operative on low beam. (393.9H)	
	(2) Lamps on rear - Bus, truck, truck tractor and towed vehicle (including driveaway-towaway operation) not having at least one steady burning red lamp on the rear or the rearmost vehicle visible from 500 feet. (393.9T)	
	(3) Lamps on projecting loads - There is not at least one operative steady burning red or amber lamp on the rear of loads projecting more than 4 feet beyond the vehicle body, visible from 500 feet. (393.18)	
b. At Anytime Day or Night.	(1) Does not have at least one operative stop lamp on the rear of a single unit vehicle or the rearmost vehicle of a combination of vehicles. (393.25G)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
		(2) Does not have operative turn signal on each side of the rear of a single unit vehicle or the rearmost vehicle of a combination of vehicles. (Truck tractors unless the turn signals on the front are so constructed (double faced) and located as to be visible to passing drivers, two turn signals on the rear of the cab, one at each side.)
6. Safe Loading.	(1) Part(s) of a vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway. (392.9)	
		(2) Protection Against Shifting Cargo - Any vehicle without a front-end structure or equivalent device as required. (393.106)

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION

7. Steering Mechanism.

a. Steering Wheel Free Play

(See Chart: When any of these values - inch movement or degrees - are met or exceeded, vehicle shall be placed out of service.) (396.3A1) (For power steering systems, engine must be running).

STEERING WHEEL DIAMETER	MANUAL SYSTEM MOVEMENT 30 DEGREES OR:	POWER SYSTEM MOVEMENT* 45 DEGREES OR:
16"	4-1/2" (or more)	6-3/4" (or more)
18"	4-3/4" (or more)	7-1/8" (or more)
20"	5-1/4" (or more)	7-7/8" (or more)
21"	5-1/2" (or more)	8-1/4" (or more)
22"	5-3/4" (or more)	8-5/8" (or more)

* For power systems, if steering wheel movement exceeds 45 degrees before steering axle tires move, proceed as follows: rock steering wheel left to right between points of power steering valve resistance. If that motion exceeds 30 degrees (or the inch movement values shown for manual steering) vehicle shall be placed out of service.

b. Steering Column.

(1) Any absence or looseness of U-bolt(s) or positioning part(s). (396.3A1)

(2) Worn, faulty or obviously repair-welded universal joint(s). (396.3A1)

(3) Steering wheel not properly secured. (396.3A1)

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
c. Front Axle Beam and All Steering Components Other than Steering Column. (Including Hub)	(1) Any crack(s). (396.3A1)	
	(2) Any obvious welded repair(s). (396.3A1)	
d. Steering Gear Box.	(1) Any mounting bolt(s) loose or missing. (396.3A1)	
	(2) Any crack(s) in gear box or mounting brackets. (396.3A1)	
e. Pitman Arm.	(1) Any looseness of the pitman arm or the steering gear output shaft. (396.3A1)	
f. Power Steering.	(1) Auxiliary power assist cylinder loose. (396.3A1)	
g. Ball and Socket Joints.	(1) Any movement under steering load of a stud nut. (396.3A1)	
	(2) Any motion, other than rotational, between any linkage member and its attachment point of more than 1/4 inch. (396.3A1)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
h. Tie Rods and Drag Links.	(1) Loose clamp(s) or clamp bolt(s) on tie rods or drag links. (396.3A1)	
	(2) Any looseness in any threaded joint. (396.3A1)	
i. Nuts.	(1) Loose or missing on tie rods, pitman arm, drag link, steering arm or tie rod arm. (396.3A1)	
j. Steering System.	(1) Any modification or other condition that interferes with free movement of any steering component. (396.3A1)	
8. Suspension.		
a. Axle Parts/Members.	(1) Any U-bolt(s), spring hanger(s) or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position. (396.3A1) NOTE: After a turn, lateral axle displacement is normal with some suspensions. Forward or rearward operation in a straight line will cause the axle to return to alignment.	
b. Spring Assembly.	(1) One-fourth or more of the leaves in any leaf spring assembly broken or missing. (396.3A1)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
	(2) Any broken main leaf in a leaf spring. (396.3A1)	
	(3) Coil spring broken. (396.3A1)	
	(4) Rubber spring missing. (396.3A1)	
	(5) One or more leaves displaced in a manner that could result in contact with a tire, rim, brake drum or frame. (396.3A1)	
	(6) Broken torsion bar spring in torsion bar suspension. (396.3A1)	
	(7) Deflated air suspension, i.e., system failure, leak, etc. (396.3A1)	
c. Torque, Radius or Tracking Components.	(1) Any part of a torque, radius or tracking component assembly or any part used for attaching same to the vehicle frame or axle that is cracked, loose, broken or missing (including missing bushings but not loose bushings in torque or track rods). (396.3A1)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
9. Frame.		
a. Frame Members.	(1) Any cracked, loose, sagging or broken frame member permitting shifting of the body onto moving parts or other condition indicating an imminent collapse of the frame. (396.3A1)	
	(2) Any cracked, loose or broken frame member adversely affecting support of functional components such as steering gear, fifth wheel, engine, transmission, body parts and suspension. (396.3A1)	
	(3) One and one-half inches or longer crack in frame web which is directed toward bottom flange. (396.3A1)	
	(4) Any crack extending from the frame web around the radius and into the bottom flange. (396.3A1)	
	(5) One inch or longer crack in bottom flange. 396.3A1)	
b. Tire and Wheel Clearance.	(1) Any condition, including loading, that causes the body or frame to be in contact with a tire or any part of the wheel assemblies, at the time of inspection. (396.3A1)	

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
c. Adjustable Axle.	(1) Adjustable axle assembly (sliding sub frame) with more than one-fourth of the locking pins missing or not engaged. (396.3A1)	
	(2) Locking bar not closed or not in the locked position. (396.3A1)	
10. Tires		
a. Any Tire on any Steering Axle of a Power Unit.	(1) With less than 2/32 inch tread when measured in any two adjacent major tread grooves at any location on the tire. (393.75B)	
	(2) When any part of the breaker strip or casing ply is showing in the tread. (393.75A)	
	(3) When sidewall is cut, worn or damaged to the extent the ply cord is exposed. (393.75A)	
	(4) Labeled "Not for Highway Use" or carrying other markings which would exclude use on steering axle. (396.3A1)	
		(5)A tube-type radial tire without the stem markings. These include a red band around the tube stem, the word "radial" embossed in metal stems, or the word "radial" molded in rubber stems. (396.3A1)

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
		(6)Mixing bias and radial tires on the same axle. (396.3A1)
		(7)Tire flap protrudes through valve slot rim and touches stem. (396.3A1)
		(8)Regrooved tire except motor vehicles used solely in urban or suburban service. (393.75E)
	(9) Visually observable bump, bulge or knot apparently related to tread or sidewall separation. (396.3A1)	
		(10)Boot, blowout patch or other ply repair. (396.3A1)
		(11)Weight carried exceeds tire load limit. This includes overloaded tire resulting from low air pressure. (393.75F)
	(12) Tire is flat or has noticeable (e.g., can be heard or felt) leak. (393.75F4)	
		(13)Any bus equipped with recapped or retreaded or regrooved tire(s) on the steering axle. (393.75D)

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
	(14) So mounted or inflated that it comes in contact with any part of the vehicle. (396.3A1)	
b. All Tires other than those found on the Steering Axle of a Powered Vehicle.		(1)Weight carried exceeds tire load limit. This includes overloaded tire resulting from low air pressure. (393.75F)
	(2) Tire is flat or has noticeable (e.g., can be heard or felt) leak. (393.75F4)	
	(3) Bias Ply Tire: When more than one ply is exposed in the tread area or sidewall or when the exposed area of the top ply exceeds 2 square inches. NOTE: On dual wheels, both tires must meet this condition. (393.75A)	
		(4)Bias Ply Tire: When more than one ply is exposed in the tread area or sidewall or when the exposed area of the top ply exceeds 2 square inches. (393.75A)

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
	(5) Radial Ply Tire: When two or more plies are exposed in the tread area or damaged cords are evident in the sidewall or when the exposed area exceeds 2 square inches, tread or sidewall. On dual wheels, both tires must meet this condition. (393.75A)	
		(6)Radial Ply Tire: When two or more plies are exposed in the tread area or damaged cords are evident in the sidewall or when the exposed area exceeds 2 square inches, tread or sidewall. (393.75A)
	(7) Any tire with visually observable bump or knot apparently related to tread or sidewall separation. (396.3A1)	
	(8) So mounted or inflated that it comes in contact with any part of the vehicle. (This includes any tire contacting its mate in a dual set.) (396.3A1)	
		(9)Is marked "Not For Highway Use" or otherwise marked and having like meaning. (396.3A1)

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
		(10)So worn that less than 1/32 inch tread remains when measured in any two adjacent major tread grooves at any location on the tire. EXCEPTION: On dual wheels, both tires must have less than 1/32 inch tread. (393.75C)
11. Wheels and Rims.	(1) Lock or Side Ring. Bent, broken, cracked, improperly seated, sprung or mismatched ring(s). (396.3A1)	
	(2) Rim Cracks. Any circumferential crack except at valve hole. (396.3A1)	
	(3) Disc Wheel Cracks. A crack extending between any 2 holes including hand holes, stud holes and center hole. (396.3A1)	
	(4) Stud Holes (disc wheels). 50% or more elongated stud holes (fasteners tight). (396.3A1)	
	(5) Spoke Wheel Cracks:	
	(a) Two or more cracks more than 1 inch long across a spoke or hub section. (396.3A1)	

(b) Two or more web areas with cracks. (396.3A1)

(6) Tubeless Demountable Adapter Cracks. Cracks at three or more spokes. (396.3A1)

(7) Fasteners. Loose, missing, broken, cracked or stripped (both spoke and disc wheels) ineffective as follows: for 10 fastener positions: 3 anywhere, 2 adjacent; for 8 fastener positions or less (including spoke wheels and hub bolts): 2 anywhere. (396.3A1)

(8) Welds.

(a) Any cracks in welds attaching disc wheel disc to rim. (396.3A1)

(b) Any cracks in welds attaching tubeless demountable rim to adapter. (396.3A1)

(c) Any welded repair on aluminum wheel(s) on a steering axle. (396.3A1)

(d) Any welded repair other than disc to rim attachment on steel disc wheel(s) mounted on the steering axle. (396.3A1)

INSPECTION ITEM	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
12. Windshield Glazing.		(1)Any crack over 1/4 inch wide, intersecting cracks, discoloration not applied in maufacture or other vision distorting matter in the sweep of the wiper on the driver's side. (393.60)
13. Windshield Wipers.	(1) Any power unit that has an inoperative wiper or missing or damaged parts that render it ineffective on the driver's side. (Applicable only in inclement weather requiring use of windshield wipers.) (393.78)	

APPENDIX A
Part III

NORTH AMERICAN UNIFORM HAZARDOUS MATERIALS OUT-OF-SERVICE CRITERIA

POLICY STATEMENT

The purpose of this part is to provide criteria for the abatement of unsafe conditions. Unsafe conditions may fall under one of the two following categories:

OUT-OF-SERVICE CONDITION: Violations categorized in this Appendix as "Out-Of-Service" shall not be allowed to continue in commerce until the unsafe condition is corrected and the shipment complies with Title 49 Code of Federal Regulations. If safety may be jeopardized by an out-of-service action at the inspection site, the vehicle(s) may be escorted to a safer location.

RESTRICTED SERVICE CONDITION: Flexibility is necessary to accommodate the unique situation inherent in the transportation of hazardous materials. Vehicles with violations described in Column 4 shall be placed "out-of-service" at the inspection site or, at the discretion of the inspector, may be allowed to continue in operation to the nearest appropriate repair or correction facility.

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

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RESTRICTED SERVICE CONDITION: Flexibility is necessary to accommodate the unique situation inherent in the transportation of hazardous materials. Vehicles with violations described in Column 4 shall be placed "out-of-service" at the inspection site or, at the discretion of the inspector, may be allowed to continue in operation to the nearest appropriate repair or correction facility.

INSPECTION ITEMS	REQUIREMENTS	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
1. Shipping papers - general	a. Present when required.		a. When transporting hazardous materials not accompanied by a shipping paper which indicates hazardous materials being transported. (177.817)
2. Waste Manifest	a. Present when required.	a. When transporting hazardous waste not accompanied by a waste manifest which indicates the hazardous waste being transported. (172.205)	
3. Placarding	a. Present when required.	a. No placards. (177.823)	
	b. Number and type of placards.	b. When more than 50% of the required placards for a hazard class are missing or any placards misrepresent the hazardous materials being transported. (177.823)	b. When 50% or less of the required placards for hazard class are missing. (177.823)
4. Cargo Tanks	a. Internal valve (missing)		a. When the internal valve is missing when required. (173.33)
	b. Internal valve (open)		b. When the internal valve is in the open position. (173.33)

INSPECTION ITEMS	REQUIREMENTS	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
	c. Cargo tank authorization.		c. When transporting hazardous materials in a cargo tank not authorized for the material being transported. (177.33)
	d. Manhole covers and discharge valve.	d. Any tank top opening not equipped with required closure. (177.33)	d. Improperly secured manhole cover, venting device, or discharge valve. (177.33)
	e. Cargo tank integrity.	e. Hazardous materials leaking from a cargo tank. (173.24)	
5. Cargo Tank Markings	a. The required ID numbers must be displayed on the cargo tank. The ID numbers may be displayed on orange panels or incorporated with the placards. (See exception 49 CFR 172.336(c)(2) and (3)).		a. When more than one required ID number is missing, or when any ID number misrepresents the material transported. (172.328)
	b. For specification cargo tanks MC330, 331 and 338, each end, each side must be marked with the proper shipping name or appropriate common name for the material such as "refrigerant gas" when transporting a compressed gas.		b. Any marking that misrepresents the material transported. (172.328)

INSPECTION ITEMS	REQUIREMENTS	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
6. Required markings for vehicles which meet the definition of Bulk Packaging.	a. Must be marked on two sides with the ID number if 1,000 gallons or less, and four sides if more than 1,000 gallons.		a. When more than one required ID number is missing, or when any ID number misrepresents the material transported. (172.331)
7. Packaging	a. Package integrity.	a. Hazardous material leaking in or from a package. (173.24)	
8. Loading and Securement	a. Blocking and bracing.	a. Transporting explosive, radioactive materials, flammable liquids, flammable solids, oxidizing materials, corrosive materials, compressed gases, or poisons which are not blocked or braced to prevent significant motion relative to vehicle while in transit. (177.834)(177.834(g))	
	b. Product compatibility		b. Transporting incompatible commodities as listed in a manner contrary to the Loading and Storage Chart of 49 CFR 177.848. (177.834)

INSPECTION ITEMS	REQUIREMENTS	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
	c. Poison/edible materials		c. Transporting packages bearing poison labels in the same vehicle with foodstuffs, feed, or other edible materials intended for comsumption by humans or animals. (See the exception found in 49 CFR 177.841. 177.841(e).) (177.834)
	d. Poisons, poison gas, irritant.	d. Transporting a package bearing a poison, poison gas, or irritant label in the driver compartment or sleeper berth of a motor vehicle. (177.834)	
	e. Hazardous materials in passenger carrying vehicle.		e. Transporting unauthorized hazardous materials in a motor vehicle transporting passengers for hire. (177.834)

NOTE FOR ITEM NO 8 (c): When initiating an out-of-service action, contact proper health authority within your jurisdiction.

9. **Forbidden items: (Common carriers)**	a. Forbidden materials.	a. Liquid nitroglycerin, desensitized liquid nitroglycerin and diethylene glycol dinitrate. (177.821)	

INSPECTION ITEMS	REQUIREMENTS	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
10. **Forbidden items: (All carriers)**	a. Forbidden materials	a. See the Hazardous Materials Table, Part 172.101. (177.821)	
11. **Radioactive materials radiation levels.**	a. Measured at surface of vehicle		a. When measurement exceeds 300 mrem/hour, at accessible surface of vehicle, or 173,441. (173.441)
	b. Measured at 2 meters from surface.		b. When measurement exceeds 20 mrem/hour at 2 meters from surface of vehicle, or 173.441. (173.441)
	c. Measured in driver's compartment.	c. When measurement exceeds 4 mrem/hour in a space normally occupied by a person(s). (173.441)	

NOTES FOR ITEM 11:

1. 11(c) not applicable to a private carrier whose driver is participating in a dosimetry program (173.441(b)(4)).
2. When initiating out-of-service action, contact the appropriate health physics, or radiation regulatory agency with jurisdiction.

12. **Route place of Class A or B explosives.**	Route plan shall be in possession for class A or B explosives.	Vehicle out-of-service until proper route plan present. (397.9)	

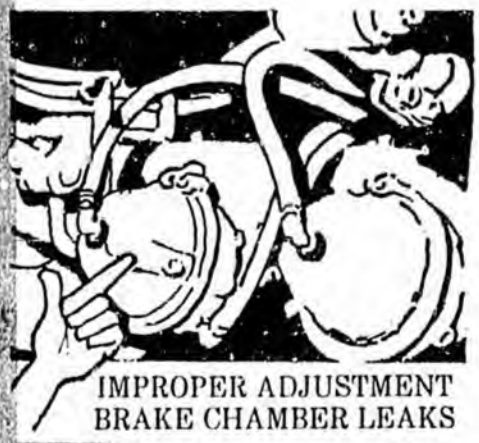
INSPECTION ITEMS	REQUIREMENTS	OUT-OF-SERVICE CONDITION	RESTRICTED SERVICE CONDITION
13. **Required documents for explosives A or B shipments.**	Instructions on procedures in the event of accident or delay; names and telephone number of persons to be contacted; and emergency precautions.	Vehicle out-of-service until required documentation is present. (397.19)	
14. **Special instruction for flammable cryogenic liquid shipments.**	Special instructions shall be in possession.	Vehicle out-of-service until special instructions present. (177.818)	
15. **Highway route controlled radioactive materials.**			
a. **Route plan.**	Route plan shall be in possession.	Vehicle out-of-service until route plan is present. (177.825)	

Take your life in your hands—
Make a careful inspection before every trip!

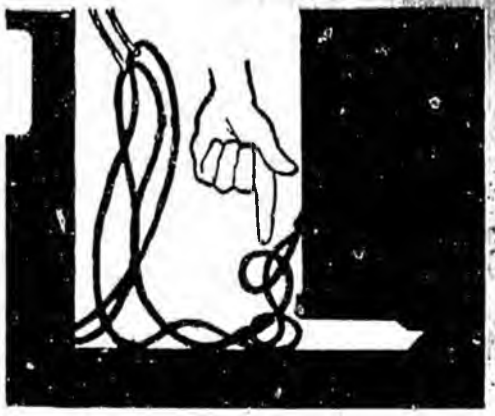
BRAKES-35.4% of all vehicle defect accidents. ★

LOW AIR WARNING

COMPRESSOR BELT, WORN, LOOSE



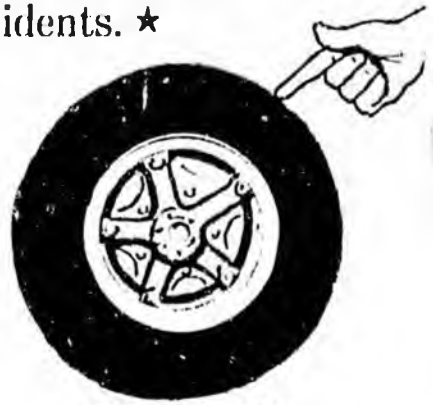
IMPROPER ADJUSTMENT BRAKE CHAMBER LEAKS



AIR HOSES, CUT, CHAFED

TIRES & WHEELS-27.4% of all vehicle defect accidents. ★

LUGS TIGHT



WORN TREAD

CUTS & BUMPS INSIDE & OUT

TIRE PRESSURE

ALSO CHECK: FIFTH WHEEL HOOKUP, LIGHTS, REFLECTORS, HORN, STEERING, GAUGES, TURN SIGNALS, WINDSHIELD WIPERS, MIRRORS, WATER & CRANKCASE LEVELS, FAN BELT, LEAKS UNDER VEHICLE

AMERICAN TRUCKING ASSOCIATIONS 5/88 U.S. DOT, OFFICE OF MOTOR CARRIER SAFETY

Article #2
Roy Erhart
Testimony

STEVE COWPER
GOVERNOR

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

April 1, 1987

Mr. Barry F. Morehead
Division Administrator
U.S. Department of Transportation
Federal Highway Administration
P.O. Box 1648
Juneau, AK 99802

Dear Mr. Morehead:

Thank you for your letter of March 12 regarding the Motor Carrier Safety Assistance Program. I have designated the Alaska Highway Safety Planning Agency within the Department of Public Safety as the lead Motor Carrier Safety Agency to administer the Motor Carrier Safety Agency Program for the state.

This letter is your confirmation that the State of Alaska is equally dedicated to reduce the number and severity of commercial vehicle accidents and hazardous materials incidents in our state. The enforcement of uniform regulations is an important step towards that goal.

Mr. T. Michael Lewis is the Program Director of the Alaska Highway Safety Planning Agency and is authorized to act on my behalf for the development and implementation of the Motor Carrier Safety Assistance Program. He may be reached at the Department of Public Safety, P.O. Box N, Juneau, Alaska, 99811, telephone (907) 465-4374. Please feel free to contact him directly to discuss the details of the development grant application and further implementation of the State Enforcement Plan.

I am confident that through a cooperative effort we can design a program that will contribute considerably towards the attainment of our goal to reduce commercial vehicle accidents.

Sincerely,

Steve Cowper
Governor

STEVE COWPER
GOVERNOR

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

DEPARTMENT OF PUBLIC SAFETY
COMMISSIONER'S OFFICE
Juneau, Alaska
FEB 10 1989

February 10, 1989

Mr. Herman E. Leirer
President
Alaska Trucking
Association, Inc.
3443 Minnesota Drive
Anchorage, AK 99503

Dear Mr. Leirer:

Thanks for your letter supporting a comprehensive commercial safety inspection program in Alaska. I look forward to receiving the Association's resolution. My office has been in touch with one of your members, Leslie Bartholomew of Ireland Transfer, a storage company in Ketchikan, several times on this issue. She was most helpful in soliciting responses from the Alaska Trucking Association on the proposed inspection bill. Leslie informed my office that the Association supported the inspection language at the January board meeting. I, therefore, asked that a bill be drafted to implement the program. I expect to introduce the bill shortly.

In the meantime, I encourage you to contact your legislators and ask for their support.

Sincerely,

S/S Steve Cowper

Steve Cowper
Governor

cc: Commissioner Arthur English
Department of Public Safety

Commissioner Mark S. Hickey
Department of Transportation
and Public Facilities

Robert A. Evans
Deputy Chief of Staff
Office of the Governor

xc: Mike Lewis, Program Director, HSPA
Diana Kelm, Project Coordinator, Driver Services
2/15/89 -gh/dp

ALASKA TRUCKING ASSOCIATION, INC.

3448 Minnesota Drive • Anchorage, Alaska 99503 • Phone (907) 276-1167

January 17, 1989

The Honorable Steve Cowper, Governor
State of Alaska
P.O.Box A
Juneau, Alaska 99811

Dear Governor Cowper:

The Alaska Task Force on Commercial Driver and Vehicle Safety is composed of representatives from the trucking industry and from State government. The Task Force reviews and discusses drafts of proposed legislation, regulations, and implementation plans, and makes recommendations for two federal commercial vehicle safety programs: the Commercial Driver License Program (CDL) and the Motor Carrier Safety Assistance Program (MCSAP).

The objective of the Task Force is a safer motoring environment through the reasonable and comprehensive regulation of commercial transporters. Not since the dissolution of the Alaska Transportation Commission and with its State-adopted federal motor carrier safety regulations, have the citizens of Alaska had the protection of a motor carrier safety enforcement program. Currently, there are no motor carrier-specific equipment safety regulations in Alaska. Heavy trucks traveled approximately 450 million miles annually on Alaska Highways since 1986 without any structured safety-monitoring enforcement system.

The two federal safety assistance programs (CDL and MCSAP), now in place and functioning, provide monies to assist states in setting the legislative foundation for a comprehensive commercial vehicle safety enforcement program. The attached amendments to AS 28.32 (Authority for roadside inspections, right of entry, and refinement of the definition of commercial vehicle) are required to move into a higher level of involvement in the Motor Carrier Safety Assistance program. These amendments are necessary to implement a comprehensive commercial safety inspection program in Alaska.

With this objective of safer Alaskan motoring as our focus, the Board of Directors of the Alaska Trucking Association agree with your statement in the letter to the Editor of the Juneau Empire dated 12/6/88: "...Insuring the safety of Alaskans is one of the most important services State government provides." A resolution passed unanimously by our Board on 1/17/89, strongly urges you to support the proposed amendments to AS 28.32, and to submit proposed legislation incorporating these amendments.

Sincerely:

Herman E. Leirer, President

DRAFT

U.S. Department
of Transportation
Federal Highway
Administration

Federal Highway Administration Motor Carrier Safety Assistance Program

Accomplishments and Effectiveness

DRAFT

DRAFT

DRAFT

FHWA Office of Motor Carriers
State Programs Division
October 1988

Publication No. FHWA-MC-89-029

Table of Contents

Executive Summary

Purpose and Scope

Since the advent of the Motor Carrier Safety Assistance Program (MCSAP) in 1984, much has been accomplished by the Federal Highway Administration (FHWA) and the participating States and Territories. A review of the entire program was conducted to outline the manner in which the FHWA went about implementing the program, to relate MCSAP's accomplishments since 1984, to identify past and present trends in the participating States' programs, and to analyze past and present accident trends to show the effectiveness of the MCSAP effort. This report addresses the history of the MCSAP, the manner in which it is funded, the level of participation in the program, the types of projects involved, and the commercial vehicle accident data.

Methodology

Much of the statistical information in the report has been gathered and retained by FHWA's Office of Motor Carriers (OMC) headquarters personnel since the inception of the program, but the data was never consolidated into one complete report. The accident data utilized in the report was received directly from the participating States and is unique to each State due to varying definitions for commercial motor vehicles and commercial vehicle accidents. The mileage collection systems also differ among States. This limits the capability to make accident rate comparisons across State lines, but comparisons are made over time within individual States. Information was also obtained from MCSAP State Enforcement Plans (SEP) and quarterly reports filed by the States and summarized normally by the FHWA Officers-in-Charge/State Directors located in each State.

Report Findings

1. The MCSAP participation has increased every year since the inception of the program. In 1984, 17 States were awarded implementation grants, 29 States and Territories received development grants, and 10 States and Territories did not participate. Only 4 years later, the implementation phase participation increased to 48 States and Territories, the development phase included 3 States, and 5 States and Territories did not participate.

2. Funding of the MCSAP was authorized by Congress under a number of appropriations acts. The program is financed out of the Highway Trust Fund. Amounts actually awarded to the participating States by FY are as follows: $7.703 million in 1984; $14.733 million in 1985; $18.473 million in 1986; $47.420 million in 1987; $54.702 million in 1988. Amounts to be awarded under the basic formula distribution in FY 1989 to date are in excess of $46 million.

3. Training of MCSAP personnel in uniform inspection and safety review procedures was a goal of the program. Uniform training and inspection procedures were considered to be crucial in order to implement a national commercial vehicle safety program. The number of personnel increased as the program participation rose. In 1984, over 1,000 State inspectors were trained in vehicle inspection procedures. By the end of FY 1986, over 2,500 inspectors had been trained and deployed in vehicle inspections. To date, over 4,000 enforcement officers have received inspection training, with 3,200 trained in the safe transportation of hazardous materials.

4. Vehicle inspections increased markedly since the implementation of the MCSAP. In the first year, 1984, 158,730 commercial vehicle inspections were conducted by State enforcement officers. In FY 1987, the total exceeded 1,000,000.

5. Safety reviews of motor carrier terminal operations also increased every year since 1984. A small number of States were conducting safety reviews in 1984; however, no statistics were available for that year. The safety review totals increased as follows: 1,398 in 1985; 1,828 in 1986; 2,653 in 1987. Current FY 1988 numbers indicate the upward trend will continue. States also began conducting Safety Reviews (SR-1s) in FY 1987.

6. MCSAP States are enforcing the Commercial Driver's License (CDL) requirements via the roadside inspections. Many unsafe and disqualified drivers have been removed from the roadways as a result of this effort.

7. Many States have participated in regional, national, and international commercial vehicle safety projects. These projects have provided much-needed information and data. With greater amounts of information in statistical databases, management officials in both the States and the