



Idealease Safety Bulletin

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Today, the Federal Motor Carrier Safety Administration (FMCSA) is announcing improvements to its Compliance, Safety, and Accountability (CSA) program that incorporate public comments received from a preview of proposed changes to the Agency's Safety Management System (SMS) website. The changes are the latest round of improvements to the CSA program following public input.

The public is already seeing improved commercial motor vehicle (CMV) safety under CSA. In its first year, 30 million visits were made to the Agency's SMS Website, and violations per roadside inspection were down 8% and driver violations per inspection were down 10% — the most dramatic drop in safety violations in a decade.

In March 2012, FMCSA announced an opportunity for enforcement personnel and motor carriers to preview proposed changes to CSA's SMS, and encourage public comment on the proposed changes. The Agency also conducted webinars to guide motor carriers through the preview. After review and consideration of the comments received, the Agency has published its response in the Federal Register. This notice is summarized below.

A Change for Safety

SMS already enables FMCSA and its state enforcement partners to better focus on high risk motor carriers. In fact, motor carriers identified as high risk by SMS have future crash rates more than double the crash rate of all active carriers.

Testing of the enhanced SMS that will be implemented in December 2012 shows that the group of motor carriers with at least one Behavior Analysis and Safety Improvement Category (BASIC) above FMCSA's safety Intervention Threshold:

- Have a 3.9% higher crash rate than those in today's SMS; and
- Have a 3.6% higher Hazardous Materials (HM) violation rate than under today's SMS.

(Select a BASIC below to view performance history)		PERFORMANCE
		Overall
Safe Driving	=	✓
Non-fatigued Drivers (In compliance with Hours of Service regulations)	=	✓
Driver Fitness	=	✓
Substances/Alcohol Free Drivers	=	✓
Proper Vehicle Maintenance	=	✓

The SMS improvements are outlined in the March 27, 2012 and August 24, 2012 Federal Register Notices, which can be found at <https://federalregister.gov/a/2012-7360> and http://www.fmcsa.dot.gov/safety-security/sms/agency-response-to-public-comments-of-sms-changes_signed.pdf, respectively. The SMS improvements include:

1. *Strengthening the Vehicle Maintenance BASIC by incorporating cargo/load securement violations from today's Cargo-Related BASIC*

Moving cargo/load securement violations into the Vehicle Maintenance BASIC will provide important benefits. It will identify motor carriers with a higher future crash risk for FMCSA interventions. Also, including the load securement violations in the new Vehicle Maintenance BASIC will remove the bias in the current Cargo-Related BASIC that has resulted in identifying a disproportionately large number of

carriers that haul open trailers (e.g., flatbeds) for interventions. The new Vehicle Maintenance BASIC will better identify safety issues across all types of carrier operations.

2. *Changing the Cargo-Related BASIC to the HM Compliance BASIC to better identify HM-related safety and compliance problems*

FMCSA will implement the HM Compliance BASIC to address motor carriers that do not comply with Federal safety regulations related to properly packaging, transporting, accurately identifying, and communicating hazardous cargo in the event of a crash or spill. Hazardous Materials Transportation increases the risk to the public in the event of a crash. Unmarked or poorly marked HM cargo can result in less effective emergency response, as well as injuries and fatalities for emergency responders and others.

- The HM Compliance BASIC will identify carriers with higher HM violation rates (33.8% versus 29.1%) and HM out-of-service rates (5.4% vs. 4.0%) than the current Cargo-Related BASIC.
- The HM Compliance BASIC will be available only to logged-in motor carriers and enforcement personnel in December 2012. Further examination of this BASIC will take place over the next year before it becomes available to the public.

3. *Better aligning the SMS with Intermodal Equipment Provider (IEP) regulations*

SMS will be updated to align with the current regulations to include violations that should be found and addressed during drivers' pre-trip inspection on intermodal equipment in order to better identify carriers with compliance issues.

4. *Aligning violations that are included in the SMS with Commercial Vehicle Safety Alliance inspection levels by eliminating vehicle violations derived from driver-only inspections and driver violations from vehicle-only inspections*

To support data uniformity and consistency, motor carriers will not be penalized in the SMS for violations cited outside the scope of an inspection. All violations from roadside inspections will continue to be on a carrier's inspection report; however, only violations that fall within the scope of the specific inspections performed will be used in the SMS.

5. *More accurately identifying carriers that transport significant quantities of HM*

The definition of carriers subject to the lower HM Intervention threshold is being revised in December to better ensure the carriers are hauling placardable quantities of HM on a more regular basis before being subject to the more stringent intervention thresholds.

6. *More accurately identifying carriers involved in transporting passengers*

Motor carriers subject to the passenger carrier threshold in the SMS are held to a significantly higher standard than non-passenger carriers. To better ensure the safety of passengers, FMCSA will update the definition of passenger carrier within SMS to enable the Agency to better focus resources on motor carriers involved with passenger transportation.



7. *Modifying the SMS display*

FMCSA is responding to feedback from enforcement and industry to change how fatalities and injuries caused by crashes are presented in SMS, and to stakeholder requests for more specific terminology in the BASICS. In the package of enhancements being previewed, the SMS display has been modified to:

- Change current terminology, “inconclusive” and “insufficient data,” to fact-based descriptions. Fact-based descriptions are easier for stakeholders to understand and interpret and will enable them to take more effective and targeted actions to improve safety.
- Separate crashes with injuries from crashes with fatalities. This eliminates a potentially misleading interpretation that a carrier has more fatalities than it actually does.

In addition, four additional changes have been identified since the beginning of the preview period that will also be implemented in December. These are described in the August 2012 Federal Register Notice and are outlined below:

1. *Removing 1 to 5 mph speeding violations*
 - FMCSA has aligned speeding violations to be consistent with current speedometer regulations (49 CFR 393.82) that require speedometers to be accurate within 5 mph.
 - Applies to the prior 24 months of data used by SMS and all SMS data moving forward.
2. *Lowering the severity weight for speeding violations that do not designate MPH range above the speed limit.*
 - The severity weight will be lowered to 1 for violations.
3. *Aligning paper and electronic logbook violations*
 - FMCSA will equally weight paper and electronic logbook violations in SMS for consistency purposes.
4. *Changing the name of the Fatigued Driving (Hours-of-Service (HOS)) BASIC to the HOS Compliance BASIC*
 - This BASIC continues to have a strong association with future crash risk. This action is being taken to reflect that the BASIC includes hours of service recordkeeping requirements that, by themselves, do not necessarily indicate fatigued driving or driving in excess of allowable hours.



FMCSA promotes safety through creating awareness, issuing early and compelling calls to action, for example through the SMS Previews, and providing education and technical outreach through its Division Offices and the CSA Communication and Outreach Team. To submit a question or directly contact a member of the CSA team who can help you, visit http://csa.fmcsa.dot.gov/CSA_Feedback.aspx.

News

CVSA Brake Safety Week

*** September 9-15, 2012**

The CVSA will be completing additional education and enforcement during this week.

Truck Driver Appreciation Week

***September 16 - 22, 2012**

Make your plans now to recognize your drivers. Show them how much you appreciate the work they do every day.