

Commercial Vehicle Safety Alliance

POLICY GUIDE



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Acronym Definitions

ADS – automated driving system

CVSA – Commercial Vehicle Safety Alliance

CMV – commercial motor vehicle

CAD – computer aided dispatch

ELD – electronic logging device

FMCSRs – Federal Motor Carrier Safety Regulations

HMRs – Hazardous Materials Regulations

HOS – hours of service

MCSAP – Motor Carrier Safety Assistance Program

MMUCC – Model Minimum Uniform Crash Criteria

About CVSA

The Commercial Vehicle Safety Alliance (CVSA) is a nonprofit organization comprised of local, state, provincial, territorial and federal commercial motor vehicle safety officials and industry representatives. The Alliance aims to prevent commercial motor vehicle crashes, injuries and fatalities and believes that collaboration between government and industry improves road safety and saves lives.

Our mission is to improve commercial motor vehicle safety and enforcement by providing guidance, education and advocacy for enforcement and industry across North America.

CVSA has four membership types: state/provincial, local agencies, associate and federal.

- Class I Members – Our state/provincial agencies are represented by various departments of transportation, public utility and service commissions, state police, highway patrols, departments of motor vehicles and ministries of transport.
- Class II Local Members – Our local agencies are represented by city or municipal police departments.
- Class III Associate Members – Our associate members are companies, organizations, trade associations, trucking and bus companies, industry suppliers and vendors, training institutions, consultants, insurance companies, state or provincial trucking associations, and large and small fleet owners or owner operators.
- Class IV Federal Members – Our Class IV members are federal government agency representatives.

Our nearly 4,000 members are dedicated to transportation safety and are committed to helping the Alliance achieve its goals of uniformity, compatibility and reciprocity of commercial motor vehicle inspections throughout North America.

Purpose, Mission, Vision, Goals and Values

Purpose

[We believe] Collaboration between government and industry improves road safety and saves lives.

Mission

[So we] Improve commercial motor vehicle safety and enforcement by providing guidance, education and advocacy for enforcement and industry across North America.

Vision

[In order] To be recognized as the North American leader in commercial motor vehicle safety and enforcement.

Goals

- Prevent commercial motor vehicle crashes, injuries and fatalities throughout North America.
- Increase the credibility and reputation of CVSA as the leader on commercial motor vehicle safety and enforcement.
- Realize the synergy between commercial motor vehicle enforcement/government agencies and the motor carrier industry.

Organizational Values

- Integrity – Providing our members and partners with the basis for trust, accountability, transparency and respect.
- Professionalism – Consistently developing the highest level of competence, work ethic, responsiveness, openness to new ideas, efficiency and continuous self-improvement.
- Leadership – To inspire, influence, guide and support our members and partners in the pursuit of our mission.
- Teamwork – Valuing people working together to achieve common goals and partnerships to achieve uniformity and enhance our effectiveness.

Background

CVSA is a recognized leader in commercial motor vehicle safety. The Alliance brings together enforcement, industry and federal agencies to identify the best strategies for reducing the number of large truck and bus related deaths, injuries and crashes on our nation's roadways.

The CVSA Policy and Regulatory Affairs Committee serves as a forum for discussing the issues facing the commercial motor vehicle (CMV) community and developing the policy positions and strategies and will best advance the Alliance's goal of reducing CMV crashes and fatalities. All recommendations from the committee are reviewed by the CVSA Board of Directors.

The document is intended to serve as a resource for CVSA members and staff, as well as external stakeholders. These policies serve as the official positions of CVSA. It should be noted, however, that while not all policies are supported by every member jurisdiction; they do, by nature of the policy process, represent a consensus opinion of the state and provincial agencies responsible for the enforcement of CMV safety regulations in Canada, Mexico and the United States.

CVSA Standing Policies

Automated Driving Systems

CVSA strongly supports policies that encourage the deployment of safety technologies proven to improve CMV safety by preventing and/or mitigating the severity of crashes. CMVs equipped with automated driving systems (ADS) have the potential to improve roadway safety. As ADS technology continues to advance and be tested on public roadways, it is imperative that federal agencies, lawmakers, law enforcement and motor carriers keep pace with the ADS industry.

While ADS equipped CMVs have the potential to improve roadway safety, that potential is based on the vehicles and technology being well maintained and fully functional. Oversight by the enforcement community is necessary to ensure ADS equipped CMVs are properly maintained, however there are challenges with applying the traditional roadside inspection program to ADS equipped vehicles. Recognizing this, CVSA supports limiting enforcement stops for roadside inspections of ADS equipped CMVs, except in the case of imminent hazard, provided that those vehicles:

- Are subject to an enhanced inspection process, developed by CVSA, and conducted by a CVSA trained individual, and
- Are subject to/compatible with remotely communicating completion of an enhanced inspection and the status of ADS components.

***Revised April 7, 2022*

Beyond Compliance

CVSA strongly supports the creation of a Beyond Compliance program within the Federal Motor Carrier Safety Administration. Meaningful incentives to accelerate safety are a valuable tool to engage with the motor carrier population and can allow federal and state enforcement to focus their limited resources on the high-risk motor carriers. It is critical that the Beyond Compliance program be inclusive of all sectors of the motor carrier industry, including smaller motor carriers. The Beyond Compliance program should incentivize deployment of safety technologies and other programs that have been assessed and independently validated to improve safety compliance and reduce crashes and fatalities. The Beyond Compliance program should not include any relief from existing regulations or requirements. The purpose of such a program is to recognize motor carriers who go above and beyond the minimum requirements. Finally, FMCSA, not the states, must be responsible for the monitoring and verification process.

***Approved Sept. 21, 2023*

CMV Size and Weight Limits

CVSA does not support increases to existing size and weight limits, unless the following statements are true.

- The impacted vehicles are designed and manufactured to accommodate the additional weights they will carry;
- The impacted vehicles are being properly maintained, with particular attention paid to the wear and tear of the vehicles' mechanical and load bearing components;
- The impacted vehicle configuration meets safety performance requirements for the roadways on which it is designed to travel, with consideration given to the possible impact to infrastructure and roadway design; and,

In addition, consideration should be given to whether or not a minimum set of performance requirements should be established for subject vehicles.

***Revised Sept. 21, 2023*

Data Quality

Uniform, timely and accurate data is a cornerstone of the CMV enforcement program. Enforcement personnel, jurisdictions and federal partners use the information collected on a driver or motor carrier's safety profile to help identify unsafe drivers requiring intervention and to prioritize motor carriers for roadside inspections, safety audits and compliance reviews. Performance data from the CMV industry is used to identify trends and problem areas, and to craft enforcement and education initiatives to target specific safety problems. Data is used not only to evaluate whether or not enforcement is being conducted uniformly, but also to determine whether or not a particular safety program or concept is successful. Data is used to determine whether enforcement funds are being used in the most efficient, effective manner possible. In order to effectively and efficiently perform these activities, the enforcement community must be able to rely on the quality and uniformity of data being compiled, in order to make comparisons. Further, as technology continues to advance, the need for quality data will continue to increase. CVSA supports efforts to ensure the collection and use of uniform, quality data and the development and use of data standards such as the Model Minimum Uniform Crash Criteria (MMUCC).

***Approved April 4, 2019*

Distracted Driving

Distracted driving has become a major contributor to traffic crashes and fatalities. According to the National Highway Traffic Safety Administration: 8% of fatal crashes, 12 percent of injury crashes, and 11 percent of all police-reported motor vehicle traffic crashes in 2022 were reported as distraction-affected crashes. In 2022, 3,308 people were killed and an estimated additional 289,310 people were injured in motor vehicle crashes involving distracted drivers. Sources of distraction include, but are not limited to:

- Visual Distraction: Looking away from the road at 55 miles per hour for as little as three seconds will result in the vehicle traveling 250 feet, almost the length of a football field.
- Manual Distraction: Removing one or both hands from the steering wheel to perform nondriving tasks, such as using a cell phone, texting or adjusting the radio.
- Cognitive Distraction: The most dangerous form of driver distraction, involves any activity that causes the driver to take their mind off the task of driving. Daydreaming is a common form of cognitive distraction. Even hands-free cell phone conversations can cause cognitive distraction.

Research has shown that interactions with law enforcement does alter drivers' actions. CVSA supports programs and resources devoted to rigorous enforcement of distracted driving behaviors, as well as education and outreach programs that help reduce the occurrence of distraction.

***Revised April 3, 2024*

Effective Jurisdictional Programs

In order to reduce crashes, injuries and fatalities related to CMVs, jurisdictions are entrusted by the federal government to enforce motor carrier safety regulations. To do this, jurisdictions establish unique, comprehensive CMV safety programs, which include vehicle and driver inspections, compliance reviews, safety audits, strike forces, training and public education and outreach. It is critical that federal entities provide jurisdictions with clarity in regulations and policies. Uniform, consistent enforcement of regulations depends on a foundation of clear, enforceable regulations. In addition, jurisdictions need flexibility to craft programs that address national trends while responding to each jurisdiction and area's unique needs, challenges and strengths. Explicit statutory or regulatory language limiting how a jurisdiction executes a CMV safety program should be minimized. Instead, federal direction should focus on setting goals and expected outcomes, allowing each jurisdiction to craft a program that will best meet those expectations.

***Approved Sept. 21, 2017*

Electronic Documentation

Inspectors verify compliance and gain critical investigative information key to performing roadside inspections from documentation provided by the motor carrier and CMV driver. Documentation may include driver credentials, various registrations, information about what is being shipped and emergency response information for hazardous materials/dangerous goods. Initiatives are underway to transition away from physical documentation to electronic documentation. Electronic documentation benefits enforcement and motor carriers by reducing the administrative burden on both. For example, inspectors would rely less on drivers to present the physical copies and instead can access the documentation electronically. In addition, in an emergency response scenario, the physical shipping paper may not be readily accessible to an inspector or emergency responder and/or is inaccessible due to the nature of the incident. Relying on electronic shipping papers would provide that information without risking the safety of the emergency responder. To improve access to information and to reduce administrative burdens on enforcement and industry, CVSA supports the adoption of electronic forms of documentation, provided the records meet the requirements for retention and access under the appropriate regulations.

***Approved April 18, 2024*

Electronic Logging Devices

Electronic logging devices (ELDs) assist in the effective enforcement of hours-of-service (HOS) regulations. The HOS requirements exist to help prevent and manage driver fatigue. ELDs are a valuable tool to enforce the HOS regulations, making it easier for inspectors to identify violations and take unsafe, noncompliant carriers and drivers off the roadways, all while saving time for both enforcement and industry.

***Approved Sept. 27, 2018*

Enforcement Innovation

Deployment of innovative technologies and enforcement techniques helps improve the efficiency and effectiveness of the enforcement program. The law enforcement community must keep pace with the evolving motor carrier industry by continuing to leverage technology, like electronic inspections, to improve and expand the CMV enforcement program. Improving the effectiveness and reach of CMV enforcement improves safety by ensuring a larger portion of the motor carrier industry is operating safely.

***Approved Sept. 28, 2020*

Ensuring Long-Term Adequate Funding

Funding allows jurisdictions to enforce motor carrier safety rules and regulations. Stable long-term funding allows jurisdictions to maintain safe roadways through activities including CMV roadside inspections, traffic enforcement, new entrant safety audits, compliance reviews, training, data quality, outreach and education. Stable, long-term funding provides jurisdictions with the security needed to invest in sustainable solutions to safety concerns. In the U.S., CMV safety and enforcement grants are funded through the Highway Trust Fund. Future funding is directly tied to the long-term solvency of the Highway Trust Fund. It is imperative that jurisdictions receive consistent, long-term funding at levels that are adequate to meet their growing needs and allow them to keep pace with the motor carrier industry.

***Revised Sept. 28, 2020*

Exemptions

Safety and hazardous materials regulations exist to protect those who use our roadways. Exemptions from these regulations have the potential to undermine safety and complicate the enforcement process. Therefore, every new exemption is an opportunity for confusion and inconsistency in compliance and enforcement. This creates the potential to undermine the very foundation of CMV safety enforcement -- uniformity. Consequently, due diligence must be taken to ensure any exemption is predicated upon safety.

***Approved Sept. 28, 2020*

5.9 GHz Spectrum

Connected vehicle technology allows a vehicle to communicate with the world around it to assist drivers in avoiding crashes and improve safety. Vehicle-to-everything communication occurs between vehicles and other roadway factors like infrastructure, other vehicles, pedestrians and law enforcement. Connected technologies, and their safety benefits, are dependent on effective wireless communication over the dedicated 5.9 GHz spectrum. The preservation of the 5.9 GHz band for transportation safety technology allows for dedicated bandwidth to ensure these technologies can seamlessly communicate without interference.

***Approved Sept. 28, 2020*

Hours of Service

The federal HOS requirements exist to help prevent and manage driver fatigue. While sleep cannot be regulated, the HOS rules set forth a framework that, if followed, allow drivers to get the rest necessary to operate their vehicles safely. It is important that the HOS requirements continue to focus on fatigue management and safety, factoring in the best available fatigue data. Recognizing that the motor carrier industry is diverse, it is critical that the regulations account for significant variances within segments of the industry, while keeping exceptions/exemptions to a minimum, in order to ensure uniform enforcement.

***Approved April 4, 2019*

Impaired Driving

Impaired driving continues to be an issue that negatively impacts safety on our roadways. Continued enforcement of impaired driving standards for both drugs (legal and illegal) and alcohol use are a key component of CMV enforcement programs. Since impaired driving remains a threat to roadway safety, resources devoted to rigorous enforcement of impaired driving standards are needed.

***Approved April 4, 2019*

Inspection of Motorcoaches En Route

Under current regulatory restrictions, inspectors do not have authority to pull over and inspect a motorcoach and its driver unless there is a visible imminent hazard while the motorcoach has passengers on board. Currently, inspections can only be conducted at a scheduled, planned stop. This allows those seeking to avoid scrutiny and circumvent safety requirements to plan around inspections. The option to inspect a passenger carrying CMV en route is an important tool for effective enforcement.

***Approved May 29, 2021*

International Harmonization

CVSA encourages a high level of collaboration between Canada, Mexico and the U.S. Many motor carriers who operate in the U.S. also have operations in Canada and Mexico, and many Canadian and Mexican motor carriers have operations in the U.S. Efficient, safe movement of people and goods between the three countries is critical to our economic success. Reciprocity and uniformity of CMV safety regulations among the three nations helps support this flow of people and goods. CVSA supports improved international harmonization of CMV safety regulations, through increasing efforts between Canada, Mexico and the U.S. to advance regulatory reciprocity and uniformity.

***Approved April 4, 2019*

Motor Carrier Qualification Standards

Safety on the roadways is paramount, particularly within the motor carrier industry. It is critical that those operating in commerce understand what is required of motor carriers, how to comply with the federal regulations and how to establish a strong safety culture within their operations. Currently, however, very little is required of an entity to obtain registration and begin operations as a commercial motor carrier. In comparison, CMV inspectors and enforcement personnel must be trained and certified to conduct inspections, and CMV drivers must go through a rigorous Entry Level Driver Training and/or qualification process and be properly credentialed in order to drive a CMV. No such standards or qualifications exist, however, to become a motor carrier. Motor carriers applying for a DOT number/NSC number/SICT permit number do not have to demonstrate qualifications in the same way as CMV inspectors and drivers. CVSA supports the creation of a standard for entry as a motor carrier. standard for entry for motor carriers reinforces an industry-wide safety priority.

***Approved April 18, 2024*

Motor Carrier Safety Assistance Program

In the U.S., the Motor Carrier Safety Assistance Program (MCSAP) provides a critical partnership between the federal government, states, locals and territories, serving the joint goal of reducing crashes, injuries and fatalities on roadways. The federal government entrusts the jurisdictions with the responsibility of enforcing the Federal Motor Carrier Safety Regulations (FMCSRs) and the Hazardous Materials Regulations (HMRs). To meet that responsibility, Congress provides funding to the jurisdictions, through MCSAP. The jurisdictions use these funds to conduct enforcement activities, CMV roadside inspections, traffic enforcement, new entrant safety audits, compliance reviews, data quality, train enforcement personnel, purchase necessary equipment, update technology, and conduct outreach and education campaigns to raise awareness related to CMV safety issues. The program allows jurisdictions to identify safety defects, driver deficiencies and unsafe motor carrier practices and remove them from the nation's roadways. Providing jurisdictions with the necessary resources to enforce the safety regulations and the flexibility to tailor their CMV enforcement programs to their unique needs is crucial for CMV safety.

***Approved Dec. 15, 2020*

New Entrant Safety Audit Program

In the U.S., states are tasked with conducting new entrant safety audits on all new motor carriers. New entrant safety audits help ensure that new carriers fully understand the requirements to operate CMVs safely on our roadways. Safety audits provide an opportunity, that isn't predicated on enforcement action, for law enforcement to educate new motor carriers on the safety regulations. Continued investment in a robust new entrant safety audit program is essential to ensure every motor carrier entering the industry understands the minimum requirements to operate safely.

***Approved Sept. 28, 2020*

Safety Technology

CVSA supports policies that encourage the deployment of safety technologies proven to improve CMV safety, either through preventing crashes or mitigating the severity of crashes. As budgets continue to tighten and technology continues to advance, it is imperative that those in the safety and enforcement communities take full advantage of technological advancements that improve safety and demonstrate a net benefit to society. As federal agencies develop performance standards and specifications for safety technologies, it imperative that they work with industry and the enforcement community to ensure that the devices are effective and that any regulations put into place are enforceable.

***Approved Sept. 21, 2017*

Third Party Software

In the U.S., FMCSA provides the states with inspection software at no cost as part of MCSAP. However, many states have chosen to develop their own inspection software to enhance safety and meet state law directives. Although states' inspection software must meet minimal data quality requirements set by FMCSA, because the states developed a complete system, these systems exceed FMCSA requirements by providing jurisdictions with more robust data sets than the FMCSA provided inspection software. State systems are often integrated into other state specific programs, e.g., Computer Aided Dispatch (CAD), or other state agencies, such as state departments of transportation or departments of revenue. This data is often required by state legislatures as mandated data collection, such as race and ethnicity, to ensure equitable policing as required by state law. The state-built inspection systems allow jurisdictions to craft comprehensive roadway safety plans addressing more than just CMV-related traffic. It is imperative that FMCSA continues allowing jurisdictions to develop and use third party systems, meeting state requirements and enhancing safety locally as well as nationally so long as those systems meet the agency's data requirements.

***Approved Sept. 2, 2021*

Traffic Enforcement

Traffic enforcement is an important highway safety tool used by law enforcement to help reduce roadway crashes and fatalities. Traffic enforcement provides jurisdictions with an opportunity to address unsafe driving behaviors that are a leading cause of highway deaths in and around CMVs. This enforcement tool allows law enforcement to intervene before unsafe driving behavior results in a crash and acts as a deterrent of unsafe driving behavior. Law enforcement needs the flexibility to craft safety programs that include national best practices while meeting each jurisdiction's unique needs and safety challenges. Traffic enforcement of unsafe driving behaviors and equipment remains an important component of CMV enforcement programs and is crucial to the continued mission of improving highway safety.

***Approved April 7, 2022*

Training

Training is critical to a uniform, effective enforcement program. In addition to the training required initially for every new employee, each new rule or change to regulations requires additional training to bring enforcement personnel up to date. Each new exemption provided to industry and the various advancements in vehicle technology also require training. Enforcement personnel need to understand the rules they are asked to enforce, and training plays a key role in making that possible. Jurisdictions need to be given adequate funding to provide training, as well as time to develop and execute training as changes are made to the regulations.

***Approved Sept. 27, 2018*

Uniformity

Uniformity is the cornerstone of the CMV enforcement program. Consistent safety regulations and uniform enforcement between jurisdictions helps ensure the motor carrier industry has a clear set of minimum safety requirements. A federal enforcement program is essential for maintaining uniformity of safety regulations between jurisdictions in North America and establishing a minimum level of safety to operate a CMV.

***Approved Sept. 28, 2020*

Universal Electronic Vehicle Identifier

Given the size of the motor carrier industry, jurisdictions do not have the resources necessary to inspect every vehicle, driver and motor carrier operating on our roadways on a regular basis. In order to maximize resources, jurisdictions use a combination of methods to identify vehicles, drivers and motor carriers for intervention and enforcement. As a result, inspectors interact with only a small fraction of the CMV currently operating on our roadways. Technology exists today to identify a CMV electronically, while the vehicle is in motion. This eliminates the need to stop a CMV to review driver information and inspect the vehicle, improving efficiencies for the enforcement community and the motor carrier industry. CVSA supports requiring all CMV to be equipped with technology that allows them to be identified electronically by enforcement. Deployment of this technology would revolutionize the way CMV roadside monitoring, inspection and enforcement are conducted, exponentially growing the program and improving roadway safety.

***Approved April 4, 2019*