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Operational Policy 4 - Maintenance of Certification (In-Service)

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Training Committee

NAME

Chris Vinson

AGENCY

Midlothian Police Department

ADDRESS

1150 N US Hwy 67
Midlothian, Texas 76065
United States

PHONE

972-775-3333

EMAILchristopher.vinson@midlothian.tx.us**SUMMARY OF ISSUE**

The CVSA strives for uniformity and standardization of roadside inspections. This is accomplished through our initial trainings, operational policies and bulletins, training videos and required annual recertification training. While we have made great strides in accomplishing this, there seems to be some question of retention of core material as evident through roadside inspection documentation.

JUSTIFICATION OR NEED

With advancements in technology and through better networking, we are able to see inspection reports and communicate observed issues at a much faster pace during a roadside inspection. Unfortunately, as a result we are also able to see roadside inspections which contain minor and major issues. These issues include simple poor descriptions, Operational Policy 14 documentation errors, out of service violations, incorrectly recorded and completely wrong violations. On occasion, inspections conducted within 24-48 hours of each other on the same driver and vehicles had far different results. As law enforcement officers, we owe it to all stakeholders (other law enforcement and industry partners) to be accurate, consistent and as thorough as possible on all roadside inspections.

We are seeing mistakes that are covered in the basic training material. This causes confusion to drivers and carriers when violations are recorded differently across jurisdictions, or not recorded at all, causing a false sense of compliance. Errors on inspection reports unnecessarily cause carriers to spend resources to challenge violations through the DataQ system. While states are complying with the recertification standards of CVSA Operational Policy 4, I believe we need to take this a step further with knowledge testing and retention. I have spoken with several state training personnel and found that some already do this on some level. Some states require their certified personnel go back through the basic courses on some interval or administer a modified test while states some just conduct training based on issues discovered in the last 12-month inspection cycle. The common theme was many states are seeing issues with the basics taught in North American Standard Parts A and B. Quite a bit has changed since I went through these courses and I think that is true for many inspectors. I'm afraid if we are honest, we know there are many inspectors who have lost some of the basics. I am hoping to add to Operational Policy 4 to hold enforcement personnel accountable without adding a burden to the states' training units. I think we owe that much to industry since accuracy on these inspections directly affects their safety profiles, the data studied by both FMCSA and CVSA, and the condition of a driver or vehicle when reviewing past inspections roadside.

With the development of Operational Policy 18 and the CVSA Enhanced CMV Inspection for non-sworn civilian inspectors, we are holding these industry inspectors to higher standard so we should be doing the same for law enforcement personnel. In the CVSA Enhanced CMV Inspection program the inspectors must pass an initial exam with a score of 85% and are required to annually attend a recertification class where they must pass a written examination with a 90% score to remain certified.

The quality of inspection conducted roadside reaches so much further than the driver and inspector. I ask that we use this as a starting point to strengthen the standardization we seek on the North American Standard inspection program. I understand that many of these issues reach into the roles of supervision and inspection review but this is a point we can all start to make sure inspectors are at a minimum retaining the basic skills to conduct and document a quality roadside inspection. This knowledge check exam could further be used by the training units to identify areas of struggle in their inspector populations and help focus training needs. Currently the CVSA LMS can help identify flawed questions but we don't have a way to measure a certified inspector other than DataQs or supervisor review and approval, which many states may not do regularly. If we are not identifying where we are deficient then we will continue to make mistakes.

REQUEST FOR ACTION

I am suggesting an ad-hoc committee be formed to review certification maintenance standards in Operational Policy 4, to include the addition of a written examination on a specific cycle, such as every 2, 3, or 5 years for each discipline in which the inspector is certified. I suggest the ad-hoc committee consider how many, if any, retests would be allowed, and/or whether an inspector who fails a written exam would be required to retake any or all certification courses. The ad-hoc committee should consider if/when all inspectors must retake certification courses, aside from a recertification exam, for all disciplines. The ad-hoc committee should also consider whether a certified inspector who fails any/or all tests (or what threshold of failure) should be decertified.

For example, as a starting point I would suggest the following language be considered:

Each certified inspector must pass a recertification written exam for NAS Part A and Part B with a score of 80% or higher every two (2) years, beginning two years after their initial Part A exam. For example, an inspector who attends NAS Part A and passes the written exam in 2024, will be required to pass a Part A recertification exam during calendar year 2026, 2028, 2030, and so on.

In the event the inspector fails the recertification exam with a score of 70% or higher, they will be afforded one retake of the exam within 60 days of the failure. If the inspector fails the retake, they will be decertified and must retake the appropriate course or courses (e.g., NAS Part A, NAS Part B, GHM, etc.).

For advanced disciplines (i.e., general hazmat, cargo tank inspection, other bulk packaging and passenger carrier vehicle inspection), certified inspectors in those disciplines must pass a recertification written exam with a score of 80% or higher every four (4) years, beginning four years after their initial exam. For example, an inspector attends the GHM course and passes the written exam in 2024, will be required to pass a GHM recertification exam during calendar year 2028, 2032, 2036, and so on.

SUPPORTING DOCUMENTS/PHOTOS

- [Supporting-Documents-Training.pdf](#)

ACTION TAKEN BY COMMITTEE

The committee formed an ad hoc committee to review recommendations for maintenance of certifications. This issue will stay open until the ad hoc committee reports back.