

ISSUE NUMBER

23-032-PRA

ISSUE NAME

Standing Policy on Beyond Compliance

STATUS

Closed

Policy and Regulatory Affairs Committee

NAME

Jonathan Nicastro

AGENCY

NYS Dept. of Transportation

ADDRESS

50 Wolf Road
Pod 53
Albany, NY 12232
United States

PHONE

518-457-2019

EMAILjonathan.nicastro@dot.ny.gov**SUMMARY OF ISSUE**

Should CVSA have a standing policy on Beyond Compliance?

JUSTIFICATION OR NEED

The FAST Act mandates FMCSA to provide recognition to motor carriers for voluntary use of advance technologies or enhanced driver fitness measures. Recognition could be in the form of adding an additional BASIC or changing the SMS formula or other means. Several years ago FMCSA published a Notice seeking comments on the Program.

REQUEST FOR ACTION

FMCSA has not published a proposed rule. As the requirement of implementation is mandated by Congress, it is expected that a Notice of Proposed Rule Making will eventually occur. The FMCSA docket can be reviewed at: <https://www.regulations.gov/search/docket?filter=FMCSA-2015-0124>
The Commercial Vehicle Safety Alliance should decide whether a Standing Policy should be included in the Policy Guide or not. If so, determining what the Alliance's position is should be discussed within the Policy Committee and recommendations made to the Board of Directors and Executive Committee.

ACTION TAKEN BY COMMITTEE

The committee discussed the requested addition to the CVSA Standing Policy Guide and determined that, despite not a Standing Policy Guide position on the Beyond Compliance concept, CVSA has a long history of supporting beyond compliance. The request to add a position on Beyond Compliance was passed by the committee on Sept. 19, 2023, and the Board of Directors on Sept. 21, 2023.