



Commercial Vehicle Safety Alliance

Improving commercial motor vehicle safety and enforcement

**CVSA Comments for the Record
to the
U.S. House of Representatives
Transportation and Infrastructure Committee's
Subcommittee on Highways and Transit**

America Builds: How Trucking Supports American Communities

March 26, 2025

The Commercial Vehicle Safety Alliance (CVSA) respectfully submits the following comments for the record in response to the Committee on Transportation and Infrastructure's Subcommittee on Highways and Transit's hearing on "America Builds: How Trucking Supports American Communities."

CVSA is a nonprofit organization comprised of local, state, provincial, territorial and federal commercial motor vehicle (CMV) safety officials and industry representatives. The Alliance aims to prevent CMV crashes, injuries and fatalities and believes that collaboration between government and industry improves road safety and saves lives. Our mission is to improve CMV safety and enforcement by providing guidance, education and advocacy for enforcement and industry across North America.

CVSA commends the subcommittee for holding a hearing to review the current state of the trucking industry. The hearing offered a timely opportunity for members to engage with industry stakeholders to better understand issues encountered by the trucking industry, while also discussing improvements that can be made in the upcoming surface transportation reauthorization.

CVSA and its members are committed to improving CMV safety in the trucking industry and have long supported solutions to improve CMV safety on our nation's roadways. In his opening statement, Chairman Rouzer identified compliance with the rules and regulations in the industry as a challenge the industry faces. Discussion in the March 26 hearing covered a variety of topics related to compliance with the regulations, such as limited access to truck parking and its effect on compliance with the hours-of-service (HOS) regulations, in addition to truck size and weight. When it comes to the enforcement of the safety regulations, consistent safety regulations and uniform enforcement between jurisdictions are the cornerstone.

Truck Parking

A key focus of witness testimony and members' questions was the issue of truck parking. In her opening statement, Ranking Member Norton highlighted inadequate parking and rest areas as a challenge that truck drivers face. Additionally, multiple hearing witnesses voiced support for increased investments in truck parking as part of their opening statements. In its written testimony, the Owner-Operator Independent Drivers Association (OOIDA) shared that the lack of parking may lead to drivers violating the HOS regulations to search for parking or risk driving fatigued while searching for parking.

CVSA echoes these sentiments and supports investments that address the nation's CMV parking shortage. Access to parking and rest areas is critical for drivers to meet the rules set forth in the federal HOS regulations. In the trucking industry, 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, allows drivers to get the rest necessary to operate their vehicles safely. Driver fatigue is a significant contributor to CMV crashes and poses a substantial risk to road safety. A National Transportation Safety Board (NTSB) investigations study found that 31% of heavy truck crashes with fatalities to the driver involved fatigue.¹ Additionally, fatigued drivers perform more inappropriate lane deviations and have slower steering responses, experience reductions in responses to speed changes of a lead vehicle, have increased speed variations, exhibit slower reaction times, experience impaired visual scanning or "tunnel vision" and are at risk of falling asleep at the wheel. All of these factors demonstrate that access to safe parking is a key tool in ensuring roadway safety, as well as HOS compliance.

It is critical to note that safe parking facilities need to be available to drivers who are trying to comply with HOS requirements, as well as those who are fatigued. In its testimony, the Truckload Carriers Association (TCA) cites that "70% of drivers have had to violate HOS rules to find parking and 96% have been forced to park in locations not designed for trucks." Without adequate parking facilities, drivers are faced with either driving over the allowable time and/or while fatigued, or parking in an unsafe location.

Additionally, CMV inspectors are oftentimes the law enforcement officials who find the trucks parked in unsafe locations. When they do encounter a CMV parked unsafely, the enforcement representative must decide whether to interrupt the driver's rest to have them relocate the CMV to a safer location or to let the driver remain in the unsafe location in order to allow the driver to get the rest they need. Increasing the availability of parking to CMV drivers would ensure they have safe places to rest, as required by the safety regulations, while also reducing the number of times an inspector would have to decide between leaving a driver parked in an unsafe location or not. By supporting investments in expanding CMV parking, these critical situations caused by fatigue or being parked in an unsafe location can be alleviated.

Opportunities for driver fatigue can also be reduced by clarifying the definition of personal conveyance within the Federal Motor Carrier Safety Regulations (FMCSR) by adding a maximum time and/or distance on its use. Under personal conveyance, a driver is able to use a loaded or unloaded CMV for personal use

¹ Factors that Affect Fatigue in Heavy Truck Accidents Volume 2: Case Summaries. National Transportation Safety Board. NTSB Report Number SS-95-02. <https://www.nts.gov/safety/safety-studies/Documents/SS9502.pdf>.

and count that driving time as off-duty time. With the current definition of personal conveyance, a driver can drive hundreds of miles over the course of several hours under the designation of personal conveyance before, during, or after their workday, putting them at risk for increased levels of fatigue.

Roadside inspectors are seeing countless examples of this occurring, with drivers claiming they are operating their vehicle for personal use, when in reality they are extending their driving time. Some common examples of personal conveyance abuse include using personal conveyance for up to ten hours between dropping off loads and going to the next pick up, driving over two hours claiming they are looking for a place to park when there are open spaces along the two-hour drive, using personal conveyance to make up for time lost at loading docks and switching to personal conveyance time just before violating the 11- or 14-hour rules. Allowing significant extension of driving time with the use of personal conveyance undermines the goals of the HOS regulations, which exist to mitigate the impacts of fatigue on highway safety.

In recent years, CVSA inspectors have observed a rise in personal conveyance abuse and misuse. For example, as part of a data collection conducted by CVSA in 2023, CVSA found that when personal conveyance was being used by a driver, it was being used improperly nearly 40% of the time. Additionally, CVSA has seen an increase in false log violations, which is where personal conveyance violations are documented. False log violations have jumped from the seventh most frequently cited driver violation in 2019 to the third most cited in 2021, 2022 and 2023. In 2024, false log violations were the twelfth most frequently cited driver violation. When looking at “false logs - personal conveyance” violations, the number of violations rose from the 60th most frequently cited driver violation in 2021 (when the specific violation code was created) to the 27th most frequently cited in 2024.

Using personal conveyance to extend driving time increases the possibility of fatigued driving and can endanger other road users. Placing a limit on the time and/or distance that a driver can use personal conveyance is a strategy for mitigating fatigued driving that should be implemented.

CMV Size and Weight

Another key focus of the March 26 hearing was the topic of CMV size and weight. CVSA does not support increases to existing size and weight limits, unless:

- 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; and,
- 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.

When evaluating its position on CMV size and weight, CVSA members presented examples of crashes involving vehicles permitted to carry more weight than the federal limit where lacking maintenance practices were observed. Additionally, CVSA members shared data demonstrating that approximately 50% of vehicles with overweight violations are also placed out of service.

Additionally, CVSA supports giving consideration to whether or not a minimum set of performance requirements should be established for subject vehicles. This consideration would allow for the creation of safety standards and requirements that would provide an expectation that these vehicles will operate safely.

Exemptions

In its testimony, the American Farm Bureau Federation shared support for the exemption from the HOS regulations for livestock and insect haulers, as well as sharing support for the continuation of this exemption in future reauthorization legislation. CVSA opposes this specific request and holds a general opposition to legislative exemptions, which includes exemptions from the HOS regulations and the electronic logging device mandate.

The FMCSR exist to protect those who use our nation's roadways and to ensure that those operating in the transportation industry are equipped to do it safely. Achieving a safe roadway environment is accomplished by implementing a federal CMV enforcement program, where consistency and uniformity is the cornerstone. Consistent safety regulations and uniform enforcement help to ensure the motor carrier industry has a clear set of minimum safety requirements. Exemptions from the federal safety regulations have the potential to undermine safety, in addition to complicating the enforcement process. Every exemption serves as an opportunity for confusion and inconsistency in enforcement, which threatens the very foundation of the federal CMV enforcement program—uniformity.

However, there may be instances when exemptions could be appropriate and also not compromise safety. Recognizing that, 49 USC § 31315(b) already provides a mechanism for those in industry to obtain an exemption through an administrative (agency) process. This process includes providing for an equivalent level of safety, requiring that the exemption *"would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption."* In addition, exemptions obtained through this process are limited to a maximum of five years (subject to renewal), which provides oversight to ensure that safety is not compromised and an opportunity to eliminate exemptions that have not maintained an equivalent level of safety. This is the proper model.

In contrast, exemptions obtained through legislation do not always include safety considerations and are difficult to remove once established. Because a process exists for industry to pursue exemptions through an administrative process, CVSA opposes the inclusion of exemptions from federal safety regulations in legislation.

Specifically, CVSA opposes any effort to roll back the electronic logging device (ELD) mandate or exempt a portion of the motor carrier industry from the requirements. ELDs assist in the effective enforcement of HOS regulations. The 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. 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.

As stated above, exemptions are opportunities for inconsistency in enforcement of the safety regulations, and CVSA maintains its opposition to legislative exemptions. However, when exemptions are included in legislation, CVSA supports the inclusion of a delayed implementation date of 18 months between when legislative exemptions are passed and when they go into effect. Legislative exemptions are instantaneous and would allow those operating under the exemption to begin doing so as soon as the legislation becomes law. However, in some cases, interpretations and guidance from the federal agency on the parameters and definitions of the exemption are necessary. Moreover, once the exemption has been analyzed and guidance provided, state enforcement personnel must be trained on the new exemptions. Inspectors have to be pulled off the road into the classroom to be trained on the changes. Practically speaking, this takes time. This guidance and the subsequent training are critical to ensuring the exemption is interpreted and enforced uniformly. Delaying the implementation date allows states time to receive any necessary guidance from the Department of Transportation, train inspectors on the changes and begin the process of adopting the new exemption into their own state law.

Additionally, CVSA supports requiring all drivers who wish to operate under an exemption from the FMCSRs be required to carry proof of exemption. The proof of exemption should be official documentation from the Federal Motor Carrier Safety Administration (FMCSA), either as a physical or digital copy, that demonstrates that the driver qualifies for the exemption. This requirement would ensure roadside inspectors have the necessary information to verify a driver's compliance with the safety requirements of the exemption. Currently, during the inspection process, an inspector must consider all possible exemptions that might apply to the driver and/or vehicle and a driver is not required to present any exemption information or indicate that they are operating under an exemption. By having the complete information, inspectors can conduct a more efficient inspection and correctly apply the regulations to the driver and/or vehicle being inspected.

Both of these recommendations will improve the way exemptions are considered as part of the inspection process in ensuring that the exemptions are appropriately applied.

Safety Technology

In its written testimony, TCA shared support for safety technologies and their role in reducing fatalities and crashes. They added that technology aids the safety performance of the truck driving population. In general, CVSA supports policies that encourage the deployment of safety technologies proven to improve

CMV safety, either through preventing 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 is 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.

Automated Vehicles

One specific form of safety technology referenced during the hearing was automated vehicles. 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 significantly 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. Unfortunately, there are challenges with applying the traditional roadside inspection program to ADS-equipped vehicles because the current roadside inspection program is not compatible with ADS-equipped CMVs. For example, the current inspection process relies heavily on the presence of a driver to perform certain vehicle functions in order for an inspector to complete an inspection. In addition, incorporating all possible roadside inspection locations into an ADS-equipped CMV's operational design domain is not practical.

When policies are considered regarding automated trucks, it is important that they look beyond the ADS technology itself and address how overall safety and compliance with the safety regulations will be established and maintained. CVSA recommends implementing the Enhanced CMV Inspection Program, an inspection standard and procedure designed to govern the inspection of ADS-equipped CMVs operating without a driver/operator on duty. The program establishes a no-defect, dispatch (point-of-origin) inspection program and includes an enhanced inspection standard and procedure for motor carriers operating ADS-equipped vehicles, as well as a 40-hour CVSA training course and exam (written and practical) for motor carrier personnel who will be conducting the inspections. Under this program, rather than the driver conducting a pre-trip inspection (as is currently done), for ADS-equipped CMVs, CVSA-trained and -certified motor carrier personnel will conduct the Enhanced CMV Inspection Procedure at the point of origin before dispatch.

Universal Electronic Vehicle Identifier

Another safety technology and tool that should be implemented in the CMV industry is the Universal Electronic Vehicle Identifier. CVSA supports a requirement that all new CMVs be equipped with a universal electronic vehicle identifier which allows them to be identified at a short range electronically by enforcement. 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. To maximize resources, jurisdictions must prioritize enforcement activities and utilize technology to continue to increase enforcement program efficiency. Currently, inspectors use screening technology programs and tools, as well as inspection selection procedures and inspector observation, to determine which trucks to select for a roadside inspection. Requiring a universal electronic vehicle identifier would revolutionize CMV enforcement and improve safety. Electronic identification of CMVs will expand the footprint of CMV enforcement and allow inspectors to better identify and prioritize vehicles with safety concerns, removing unsafe vehicles and drivers from the nation's roadways. For example, requiring that all CMVs be equipped with a universal electronic vehicle identifier would significantly improve enforcement's ability to identify drivers operating under a federal out-of-service order, helping to remove unsafe operators from the roadways more effectively.

If compliance with the regulations is a challenge for the trucking industry as identified by Chairman Rouzer in his opening statement, the universal electronic vehicle identifier would enhance a CMV inspector's ability to identify CMVs most in need of an inspection or intervention, creating better targeted enforcement of the regulations. Deployment of this technology would revolutionize the way CMV roadside vehicle selection, inspection and enforcement are conducted, exponentially growing the program and improving roadway safety.

Motor Carrier Qualifications

When each committee member was presented with an opportunity to question the witnesses, Congressman Babin asked Mr. Pugh, representing OOIDA, about regulatory compliance and how Congress can lessen the impact of regulations truck drivers and motor carriers must comply with while still maintaining safety standards. Mr. Pugh responded, in part, by supporting increasing the barrier to entry into the trucking industry higher.

CVSA agrees with the sentiment expressed by OOIDA about the need for creating a standard for entry, and CVSA supports the establishment of 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 USDOT number do not have to demonstrate qualifications in the same way as CMV inspectors and drivers. Creating a standard for entry for motor carriers reinforces an industry-wide safety priority. CVSA is preparing specific recommendations on what should be included as part of these motor carrier qualifications and will bring these specific recommendations to Congress as part of their work on surface transportation reauthorization legislation.

Hair and Oral Fluid Testing

The Truckload Carriers Association shared support for reliance on hair follicle testing in place of urinalysis as part of its members drug testing procedures. CVSA agrees and supports allowing motor carriers to use hair/oral fluid testing in place of urinalysis. Impaired driving continues to be an issue that negatively impacts safety on our roadways. When it comes to identifying impaired driving, detection of drug and alcohol use is a key component of CMV safety programs. Hair/oral fluid drug testing has been proven to be more effective in determining drug use than urinalysis. However, motor carriers are currently required to conduct drug tests on drivers using urinalysis. Some motor carriers voluntarily use the more rigorous hair/oral fluid testing but still must conduct duplicative urinalysis tests to meet the regulatory requirements. This change would remove the financial burden of having to duplicate tests to participate in a more rigorous testing procedure. This may also increase the number of motor carriers that would be able to conduct hair/oral fluid tests, which would assist in identifying more drivers who use drugs and as a result, improve safety.

Highway Trust Fund

In its opening testimony, the International Brotherhood of Teamsters highlighted the need to address the issues regarding the Highway Trust Fund and guarantee its solvency. Additionally, TCA shared support for sustainable and long-term funding within the Highway Trust Fund. Related to safety regulations placed on the trucking industry, the federal government entrusts the states with the responsibility of enforcing the FMCSR and the Hazardous Materials Regulations (HMR) and, for that purpose, Congress provides funding to the states, through the Motor Carrier Safety Assistance Program (MCSAP). The states use funds through MCSAP to conduct enforcement activities, train enforcement personnel, purchase necessary equipment, update software and other technology and conduct outreach and education campaigns to raise awareness related to CMV safety issues. Additionally, MCSAP pays the salaries of approximately 13,000 full time and part time CMV safety professionals. These individuals conduct nearly three million roadside inspections, 56,000 new entrant safety audits and 4,500 compliance reviews each year.

In order to achieve long-term CMV program success, MCSAP must be adequately funded. Recognizing that future funding for the MCSAP is directly tied to the long-term solvency of the Highway Trust Fund, CVSA supports ongoing efforts to identify sustainable, long-term revenue sources to address the Highway Trust Fund solvency, in order to ensure stability for the MCSAP. When states see a reduction in their MCSAP funding, their programs are reduced and fewer inspections, compliance reviews and safety audits are conducted, reducing the safety benefit of such activities discussed above and undermining improvement in CMV safety. The Highway Trust Fund must remain solvent in order to ensure stability for MCSAP.

Additional Reauthorization Priorities

Throughout the March 26 hearing, multiple members of Congress and each of the witnesses shared changes they would like to see as part of the forthcoming surface transportation reauthorization legislation. For example, Chairman Rouzer shared that this hearing was a part of the subcommittee's "efforts to examine key issues concerning our nation's surface transportation programs as we work to

develop and enact and on-time, multi-year surface bill.” CVSA welcomes these efforts, as well as the opportunity to share additional priorities for consideration as part of the subcommittee’s work on surface transportation reauthorization.

Motor Carrier Safety Program Improvements

As part of future surface transportation reauthorization legislation, there are improvements that can be made to funding provided by FMCSA, especially with regards to FMCSA’s Motor Carrier Safety Programs. Congress provides funding to the states, through MCSAP and High Priority Grant. States and local agencies use these funds to conduct enforcement activities, train enforcement personnel, purchase necessary equipment, update software and other technology and conduct outreach and education campaigns to raise awareness related to CMV safety issues. The goal of these programs, which are administered by FMCSA, is to reduce CMV-involved crashes, fatalities and injuries through consistent, uniform and effective CMV safety programs. The programs seek to identify safety defects, driver deficiencies and unsafe motor carrier practices and remove them from the nation’s roadways.

To improve MCSAP, CVSA supports requiring FMCSA to allow states to make adjustments to their maintenance of effort (MOE) and enforcement activity minimums. As a condition of MCSAP, states are required to meet minimum financial requirements, known as maintenance of effort (MOE), by investing state funds in their CMV safety enforcement programs. States must also meet certain CMV inspection and enforcement minimums in order to have traffic safety activities reimbursed under MCSAP. However, the MOE and minimum activities benchmarks are outdated and often no longer relevant to the jurisdiction’s program due to changes in program structure, responsibilities and priorities.

The motor carrier industry has evolved significantly since the MOE and inspection benchmarks were last updated. State CMV safety programs have evolved alongside industry to address the most prevalent safety issues, making the 20-year-old MOE and inspection benchmarks outdated for many programs. Giving states the option to request an adjustment to their MOE and inspection benchmarks ensures that their minimum state contributions meet the needs of their program and the current motor carrier safety trends. Permanent changes to the MOE should be made upon request by the jurisdictions. Also, adjustments to the MOE and enforcement activity minimums would create additional flexibility for the jurisdictions.

Another recommendation to improve these safety grant programs is to provide greater spending flexibility for jurisdictions within MCSAP. Activities that are primarily eligible for MCSAP funding are the national program elements, which include driver and vehicle inspections; traffic enforcement; compliance reviews, carrier interventions, investigations and new entrant safety audits; public education and awareness; and data collection and quality. There are some activities and expenses not currently covered under MCSAP, which limits how jurisdictions are able to spend MCSAP funds. Creating additional spending flexibility by expanding MCSAP eligibility would allow jurisdictions to spend MCSAP funds in ways that meet their needs, maximizing the benefits of MCSAP funds.

A final recommendation to improve these safety grant programs is to create a dedicated funding program for local jurisdictions. Currently, there is not a funding mechanism dedicated to providing funding for local enforcement agencies participating in the MCSAP program. As a result, local jurisdictions must compete with state agencies for High Priority grant funds. Dedicated funding for local jurisdictions should be competitive in nature and restricted to local jurisdictions with an active memorandum of understanding with the lead MCSAP agency. This dedicated funding will help ensure that local jurisdictions who wish to participate in the MCSAP program have the resources to fully participate.

Improvements to the Enforcement Training and Support Grant Program

In addition to overseeing MCSAP and the High Priority Grant, FMCSA administers the CMV Enforcement Training and Support Grant, which Congress created to provide for the development and delivery of certification training to state and local CMV inspectors. In order to improve the training of inspectors, CVSA recommends a series of improvements to the structure and administration of the Enforcement Training and Support Grant to be included as part of the surface transportation reauthorization legislation.

Currently, state inspectors are used to instruct the certification training delivered under the Enforcement Training and Support Grant. Inspectors who want to instruct are required to become qualified as an instructor in each type of curriculum. However, the current Enforcement Training and Support Grant is only applied to the development and delivery of certification training to state and local enforcement personnel seeking to become certified as a CMV inspector, excluding the inspectors who serve as instructors for the courses. These instructors, who are also state personnel and inspectors, are a critical part of the training process and their training should be part of the same program. In addition to the overall improvement to the quality of training instructors are receiving and the administrative benefits of consolidating all state and local roadside inspector and instructor training into one program, this clarification would match the intentions of the creation of the program in the Infrastructure Investment and Jobs Act. To resolve this, CVSA seeks language clarifying that the state instructors delivering the certification training to state personnel under Enforcement Training and Support Grant should be trained and managed under the grant as well.

Another recommendation to improve the Enforcement Training and Support Grant is to implement a multi-year grant cycle. The Enforcement Training and Support Grant currently operates on an annual award cycle, which contains multiple downsides for training delivery. First, a single year of funding impacts the grant recipient's ability to implement a comprehensive training program reliably and consistently. Additionally, the administrative burden of annually applying for a single year of funding is cumbersome on grantees, as well as the agency. Further, a multi-year grant cycle would provide the agencies and inspectors receiving the critical certification training with much needed stability and continuity. In addition, a multi-year grant cycle would ensure consistency with the delivery of the enforcement training program, as well as give the grant recipient the opportunity to deliver on longer terms goals and objectives. Finally, transitioning to a multi-year grant cycle would reduce the administrative burden of soliciting and

awarding the grant program for FMCSA. CVSA supports a multi-year grant cycle for the Enforcement Training and Support Grant.

A final improvement for the Enforcement Training and Support Grant is to ensure that the organization comprised of state government agencies responsible for the oversight and implementation of CMV enforcement activities is the single grant recipient. The CMV Enforcement Training and Support Grant program provides critical training to prepare state CMV inspectors with the training they need to conduct roadside safety inspections, compliance reviews and safety audits on the motor carrier community, ensuring compliance with federal and state regulations. It is critical that this training be comprehensive, effective and consistent. In order to ensure the quality of the training, the state agencies responsible for motor carrier enforcement programs strongly support limiting the CMV Enforcement Training and Support Grant program to one recipient and that the program be delivered only by the organization comprised of state government agencies responsible for the oversight and implementation of CMV enforcement activities.

Hazardous Materials Safety Grant Improvements

The Pipeline and Hazardous Materials Safety Administration (PHMSA) administers multiple safety grants as part of its Pipeline and Hazardous Materials safety programs. Related to hazardous materials safety, there are multiple grant programs that provide funding for recipients to train and conduct outreach to first responders and communities. Specifically, the Hazardous Materials Instructor Training (HMIT), Assistance for Local Emergency Response Training (ALERT) and Community Safety grants are separate grant programs that target different stakeholder groups, despite sharing a common mission of training stakeholders on the safe handling of hazardous materials. These existing hazardous materials safety training grants should be consolidated into a single training grant. Combining these related grant programs into one training grant improves efficiency of the grant process, allowing PHMSA to better fund quality grant applications and provides grantees with flexibility to meet the most pressing training needs, while reducing the administrative burden for both PHMSA and the grantees.

In addition, due to the shared goals of the grants, many grant recipients receive funding from multiple grants to fund various training programs. For example, five non-profit organizations received funding from multiple grants as part of the fiscal year 2024 awards across the various programs.² Currently, if a recipient receives funding from two different grant programs, they have to submit separate funding proposals, track expenses for each grant separately and submit separate reports to the agency. This also doubles the amount of administrative work for the agency, as they have to oversee these steps of the grant process. By consolidating the grant programs, grant recipients can redirect the resources dedicated to the administrative tasks of multiple grants to the mission of hazardous materials safety and PHMSA can more efficiently manage and administer their grant programs.

² Hazardous Materials Grants FY2024. Pipeline and Hazardous Materials Safety Administration.
<https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-08/PHMSA%20HAZMAT%20Safety%20Grants%202024.pdf>.

Finally, consolidation allows more flexibility for grant recipients. By combining the funding into one grant, funding can be dedicated to projects that comprehensively address current needs. Under the current structure, grant applicants must create projects that fit the narrow requirements of each grant and funding levels are tied to the specific grant criteria.

Improvements to the New Entrant Safety Audit Program

An additional priority of CVSA's for the surface transportation reauthorization is to make changes to the New Entrant Safety Audit Program to return the focus to motor carrier education. The purpose of the New Entrant Safety Audit in 49 Code of Federal Regulations 385.309 is to provide educational and technical assistance to the new entrant and gather safety data needed to assess the new entrant's safety performance and the adequacy of its basic safety management controls. The existing New Entrant Safety Audit Program is not adequately fulfilling its purpose by providing minimal education to motor carriers. The New Entrant Safety Audit Program should return to the intended focus on motor carrier education before operation while also increasing efficiency, reaching more carriers to proactively improve new entrant safety and create more uniformity for all new entrants regardless of assignment type. CVSA is preparing specific recommendations on what should be included as part of improvements to the New Entrant Safety Audit Program and will bring these specific recommendations to Congress as part of their work on surface transportation reauthorization legislation.

Expanding CDLPI Eligibility to Puerto Rico and the U.S. Virgin Islands

A final recommendation for the subcommittee to consider as part of surface transportation reauthorization is to expand the Commercial Driver's License Program Implementation (CDLPI) grant eligibility to include Puerto Rico and the U.S. Virgin Islands. Currently, Puerto Rico and the U.S. Virgin Islands do not have a commercial driver's license (CDL) program, which can lead to unqualified individuals driving CMVs. By implementing a CDL program, the territories will have the ability to issue CDLs and ensure that CMV drivers have the proper credentials. Ensuring that drivers are properly credentialed will increase safety on the roadways. Receiving CDLPI funding will help the territories achieve compliance with federal CDL rules and requirements. This will further the uniformity of driver credentialing within the United States.

Additionally, this will bring uniformity to the enforcement of the safety regulations surrounding CDLs, particularly when it comes to CMV drivers from either territory operating a CMV in one of the 50 states in the U.S. When encountered by enforcement in one of the states, the CMV driver from either territory may present a non-CDL driver's license or two driver's license – one CDL and one non-CDL license. Implementing a CDL program in the territories would address this scenario and the CMV driver would have the single and proper credential to drive the type of CMV they are operating. This demonstrates how the uniformity of driver credentialing will be improved, which is key element of a federal CMV enforcement program.

Conclusion

As Congress begins to work on surface transportation reauthorization, it is important that CMV safety is a focus of the investments made by Congress, including those related to truck parking, safety technology, including automated CMVs, and motor carrier qualification standards, while also addressing the solvency of the Highway Trust Fund. In addition to addressing the topics discussed in the March 26 hearing, CVSA encourages the committee to consider its additional priorities when building out surface transportation reauthorization legislation. Congress can reduce administrative hurdles, improve efficiency and build in flexibility by enacting the improvements supported by CVSA related to MCSAP, the Enforcement Training and Support Grant and PHMSA's hazardous materials safety grants. Each of the Alliance's recommendations align with the subcommittee's task of examining the trucking industry and identifying solutions to improve CMV safety as part of its work on future surface transportation reauthorization legislation.