




**Division of State Patrol  
Policy and Procedure**

Number <b>8-4</b>
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Subject <b>MOTOR CARRIER SAFETY ASSISTANCE PROGRAM (MCSAP)</b>	
Author/Originator Bureau of Field Operations	Approved by  <b>Superintendent</b>
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**I. POLICY**

It is the policy of the Division of State Patrol (DSP) to promote the safe operation of commercial motor vehicles (CMVs) through participation in the Motor Carrier Safety Assistance Program (MCSAP) with the goal to reduce the incidence of crashes and hazardous materials incidents involving CMVs.

**II. BACKGROUND**

The MCSAP is a Federal grant program that provides financial assistance to states for efforts in reducing the number and severity of crashes and hazardous materials incidents involving CMVs. The goal of the MCSAP is to reduce CMV-involved crashes, fatalities, and inquiries through consistent, uniform, and effective CMV safety activities. Wisconsin has been involved in MCSAP since its inception in 1984 and the governor has designated the DSP as the lead agency to develop and administer the program. Responsibility for MCSAP enforcement and compliance is vested with the DSP. A grant document, the Commercial Vehicle Safety Plan (CVSP), is required annually and must meet Federal Motor Carrier Safety Administration (FMCSA) requirements.

**III. OBJECTIVE**

The objective of this policy is to establish MCSAP policies and procedures that relate to:

- A. Inspecting CMVs for equipment defects.
- B. Enforcing MCSAP-fundable size/weight activities.
- C. Enforcing regulations that affect drivers of CMVs including driver qualifications, hours-of-service, compliance with commercial driver’s license (CDL) requirements

- (including driver license status), driver impairment by alcohol or drug use, etc.
- D. Enforcing regulations that affect the transportation of hazardous materials.
- E. Highway criminal interdiction activities to include the detection of illegal contraband (drugs, weapons, etc.).
- F. Enforcing carrier obligations through the Compliance Review Program.
- G. Assuring new carriers are knowledgeable about the safety regulations and have necessary safety practices in place through the New Entrant Safety Assurance Program.
- H. Collecting valuable crash inspection data on commercial motor vehicles through the Post-Crash Inspection Program.
- I. Enforcing MCSAP-fundable traffic enforcement of CMVs and other vehicles.
- J. Collection and transfer of inspection, crash, compliance review, and new entrant data to FMCSA in accordance with FMCSA established guidelines.

**IV. GENERAL PROVISIONS**

- A. Funding to administer the MCSAP in the State of Wisconsin comes through a FMCSA formula grant. Receiving basic and incentive grant funds is dependent on the State submitting an application which includes a detailed Commercial Vehicle Safety Plan that meets criteria set forth in 49 CFR, Part 350. The grant funds all MCSAP activities. The MCSAP grant is a renewable annual grant and is submitted to FMCSA through Grants.gov.
- B. The MCSAP is managed by the DSP Motor Carrier Enforcement (MCE) Section. Under the direction of an MCE captain, two MCE lieutenants are each assigned responsibility for a specific area of the State – one for the northern regions and one for the southern regions. Region/Post lieutenants supervise MCE sergeants located in their respective regions. The MCE sergeants, in turn, supervise field inspectors. Additionally, a Motor Carrier Investigation Unit (MCIU) sergeant reports to the MCE lieutenant who oversees the MCSAP grant and is responsible for the MCIU comprised of civilians and sworn staff who conduct compliance reviews and new entrant audits. Additional MCSAP support staff assigned to Central Headquarters (CHQ) include a planning analyst, who writes the grants and oversees other grant requirements; an Information Technology (IT) specialist, who oversees data integrity, Traffic and Criminal Software (TraCS), and other IT needs; and a Safetynet coordinator, who handles data transfers and data integrity.
- C. Monitoring
  - 1. Using the CVSP as a guide, MCE sergeants and the MCIU sergeant administer and monitor the MCSAP activities of their staff. The Region/Post

lieutenants monitor their respective MCE sergeants. The lieutenant who oversees the MCSAP grant monitors the MCIU sergeant. The MCE and Region captains oversee program operations and personnel responsible for those program operations.

2. DSP senior management and other CHQ staff monitor the State's program through the CVSP, quarterly and annual reports, federal websites, on-site visits, meetings, etc.

**D. Program Responsibilities**

1. Compliance with 49 CFR, Parts 350 and 18.
2. Crash reduction through CMV-related highway safety efforts.
3. Driver and vehicle inspections and enforcement of related regulations.
4. Selected size/weight enforcement activities.
5. Traffic enforcement activities with and without an inspection.
6. CMV-related highway criminal interdiction activities including drug interdiction.
7. Reporting of CMV driver and carrier factors in CMV-related crashes through the Post-Crash Inspection Program.
8. Motor carrier oversight through compliance reviews.
9. New motor carrier monitoring through new entrant audits.
10. Educational outreach.
11. Proper collection and timely upload to FMCSA of quality inspection, crash, compliance review, and new entrant audit data.

**V. PROCEDURE**

- A. An approved MCSAP CVSP and related grant documents are the foundations for each year's MCSAP. They are the framework for the activities, standards and goals to be accomplished for the year. The CVSP is developed and written:
1. To meet FMCSA requirements.
  2. To direct DSP staff to complete the goals set for the year.
  3. To assist in the annual review of the programs to evaluate progress.

- B. Motor carrier enforcement management staff shall:
  - 1. Provide Region/Post lieutenants, MCE sergeants, and the MCIU sergeant with a copy of each year's CVSP and new entrant proposal outlining program goals.
  - 2. Visit regions periodically to monitor program initiatives and progress towards goals, and to provide support as needed.
  - 3. Monitor activities each quarter (at a minimum) to track progress.
  - 4. Assure proper collection, entry, and transfer of inspection, crash, compliance review and new entrant audit data.
  - 5. Provide resources to address FMCSA national motor carrier safety data correction program (DataQs) system to address violation inquiries.
  
- C. Motor carrier enforcement sergeants shall:
  - 1. Coordinate program activities to assure MCSAP goals outlined in the CVSP are met within their respective regions.
  - 2. Routinely review MCSAP inspections and other MCSAP activities within their respective regions to assure the quality of the program is advanced and goals are met.
  - 3. Assure MCSAP resources are utilized within the boundaries of the program.
  
- D. MCIU sergeant shall:
  - 1. Coordinate compliance review and new entrant audit activities to assure MCSAP goals are met.
  - 2. Review compliance review, new entrant audit, inspection, and other MCSAP activities to assure quality.
  - 3. Assist in the preparation of the MCSAP quarterly and annual reports by providing compliance review data, new entrant data and measures and goals.
  - 4. Assure MCSAP resources are utilized within the boundaries of the programs.
  - 5. Manage the MCIU information line.
  
- E. MCSAP inspectors and/or motor carrier investigators shall:
  - 1. Become certified to perform the North American Standard (NAS) Level 1 Driver-Vehicle Inspections by completing the Commercial Vehicle Safety

Alliance (CVSA) approved course and maintain certification as determined by CVSA policy.

2. Become certified to perform hazardous material inspections by completing the CVSA-approved hazardous material roadside inspection course and maintain certification as determined by CVSA policy.
3. Become certified to perform cargo tank inspections by completing the CVSA-approved cargo tank inspection course and maintain certification as determined by CVSA policy.
4. When assigned, become certified to perform motor coach inspections by completing the CVSA-approved motor coach inspection course and maintain certification as determined by CVSA policy.
5. When assigned, become certified to perform compliance reviews by completing the CVSA-approved compliance review course and maintain certification as determined by CVSA policy.
6. When assigned, become certified to perform new entrant audits. If already compliance review certified, must successfully complete a new entrant audit training program. Maintain certification as determined by CVSA policy.
7. When assigned, become certified to perform Level VI inspections by completing the CVSA-approved course and maintain certification as determined by CVSA policy.
8. Conduct driver, vehicle, hazardous material, cargo tank, motor coach, size/weight-related inspections and MCSAP traffic enforcement, as trained and certified; and include an educational component as part of each contact.

MCSAP inspections will be conducted at safety and weigh enforcement facilities (SWEFs), mobile/roadside sites\*, carrier terminals, or destination locations.

\*NOTE: In all cases of mobile/roadside inspections, every effort should be made to preserve the safety of the officer, driver, and surrounding traffic. This may result in completing a Level 2 or 3 inspection or in directing the vehicle to a safe location.

9. Enter inspection information into database and provide the driver with a copy of the inspection report. Officers shall upload Aspen reports daily. NOTE: Any post-crash MCSAP inspections performed shall also be recorded on an electronic Offense/Incident Report (eSP4500).

10. Take appropriate enforcement action on violations discovered during each inspection in accordance with inspection guidelines and the North American Standard Out-of-Service (OOS) Criteria.
11. Issue CVSA decal to all vehicles meeting CVSA guidelines.
12. Conduct compliance reviews, if assigned, trained and certified.
13. Conduct new entrant audits, if assigned, trained and certified.
14. Conduct post-crash inspections.
15. Conduct size/weight inspections in conjunction with roadside MCSAP inspections.
16. Check and verify CDL status on all stopped drivers operating CMVs.
17. Promote applicable homeland security efforts and take related security measures, as needed.
18. When conducting inspections, be vigilant of criminal activity.

**VI. REFERENCES**

Motor Carrier Safety Assistance Program (MCSAP) Uniform Enforcement Policy  
Wisconsin MCSAP Commercial Vehicle Safety Plan  
North American Standard Out-of-Service Criteria  
Wisconsin Truck and Bus Crash Supplement, DT4000  
49 CFR, Parts 350 and 18  
CVSA Certification Guidelines, Policy 4  
Offense/Incident Report (eSP4500)