




**Division of State Patrol
Policy and Procedure**

Number
8-9

Subject ANNUAL MCSAP COMMERCIAL VEHICLE SAFETY PLAN (CVSP)	
Author/Originator Bureau of Field Operations	Approved by  Superintendent
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I. POLICY

It is the policy of the Division of State Patrol (DSP) to adhere to prescribed procedures for completing the Motor Carrier Safety Assistance Program’s Commercial Vehicle Safety Plan (MCSAP CVSP).

II. BACKGROUND

The CVSP is a document required through the federal MCSAP grant process to receive federal funds. Its format and content are primarily guided by 49 CFR, Part 350; the Common Rule, 49 CFR, Part 18; Federal Motor Carrier Safety Administration (FMCSA) policies; and the annual federal planning memorandums. It takes a performance-based approach by analyzing the State’s past results and by using trend and present data to identify problems, determine strategies, and conduct activities to implement the MCSAP program. The format for writing the CVSP is an FMCSA designed *template*. The *template* and other required MCSAP *forms* are found on FMCSA’s website www.fmcsa.dot.gov/

III. OBJECTIVES

To complete the CVSP, the following must be in place:

- A. Staff shall be assigned to prepare the CVSP.
- B. Program objectives must be established that qualify for MCSAP program funds.
- C. Data-driven strategies shall be utilized.

- D. Activities will target projected program outcomes.
- E. Due dates shall be in place throughout the CVSP process so deadlines are met.
- F. The CVSP is due to the FMCSA office on or before August 1st of each year.

IV. GENERAL PROVISIONS

Qualification for program funds.

- A. To qualify for basic and incentive funds, the State of Wisconsin must:
 - 1. Assume responsibility for improving motor carrier safety and adopting and enforcing State safety laws which are compatible with the Federal Motor Carrier Safety Regulations (FMCSRs).
 - 2. Designate the lead State agency responsible for implementing the MCSAP (designation is bestowed on DSP by the Governor in office).
 - 3. Allocate adequate State funds to match federal funds to administer the MCSAP.
 - 4. Provide legal authority for right of entry and inspection to carry out the CVSP.
 - 5. Provide all required reports to appropriate agencies.
 - 6. Maintain uniform reporting requirements and use FMCSA designated forms for record keeping, inspection, and other enforcement activities.
 - 7. Require registrants of CMVs to declare, at the time of registration, their knowledge of applicable FMCSRs, Hazardous Material Regulations (HMRs) and applicable State laws or regulations.
 - 8. Maintain the average aggregate expenditure maintenance of effort of the State and political subdivisions, exclusive of federal assistance and State matching funds, for CMV safety programs eligible for funding under the basic program at a level at least equal to the average expenditure level for a pre-determined 3-year time-pan.
 - 9. Ensure that CMV size/weight enforcement activities funded with MCSAP funds do not diminish the effectiveness of other CMV safety enforcement programs.
 - 10. Ensure that violation fines and forfeitures imposed and collected by the State are consistent, effective, and equitable.

11. Provide FMCSA with accurate, complete, and timely reporting of motor carrier safety information; participate in a national motor carrier safety data correction program (DataQs); participate in SAFETYNET; and ensure information is exchanged in a timely manner.
 12. Ensure that the CVSP, data collection, and information systems are coordinated with the State highway safety program under Title 23, U.S.C.
 13. Undertake efforts to emphasize and improve enforcement of State and local traffic laws as they pertain to CMV safety.
 14. Ensure MCSAP agencies have departmental policies stipulating that roadside inspections will be conducted at locations that are adequate to protect the safety of officer, driver and surrounding traffic.
 15. Ensure that requirements relating to the licensing of CMV drivers are enforced, including the checking of CDLs during enforcement contacts.
 16. Ensure that MCSAP-funded personnel, including sub-grantees, meet the minimum federal standards in 49 CFR, Part 385, Subpart C for training and experience of employees performing safety audits, compliance reviews, or inspections.
 17. Enforce operating authority requirements found in 49 CFR, Part 387 as applicable to CMVs subject to the provisions of 49 CFR 392.9a.
 18. Include best practices on driving safely in the vicinity of a non-commercial and commercial motor vehicle in the driver licensing examination training manuals.
 19. Conduct comprehensive and highly visible traffic enforcement and CMV inspections in high-risk locations and corridors.
 20. Ensure that, except in the case of an obvious safety hazard, an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a location where motor carriers may make planned stops.
- B. The CVSP must promote activities in support of national program elements and special emphasis areas outlined in FMCSA's annual planning memorandum.
- C. The process to gather data and write each annual CVSP Plan can begin as early as April of each year but must end on or prior to August 1st. (Upon request and based on extenuating circumstances, FMCSA may extend the date.)

V. PROCEDURE

- A. The DSP administration shall ensure that the CVSP:
 - 1. Is written by Motor Carrier Enforcement Section staff using proper federal and State guidelines.
 - 2. Uses the prescribed eCVSP *template* provided by FMCSA.
 - 3. Includes required grant *forms* and signatures.
 - 4. Is approved by DSP management prior to submission to FMCSA.
 - 5. Is submitted to FMCSA on or prior to August 1st of each year.

VI. REFERENCES

Title 23, United States Code
49 CFR, Part 318
49 CFR, Part 350
49 CFR, Part 385
49 CFR, Part 387
49 CFR, Part 392
FMCSA's Annual Planning Memorandum
eCVSP template