

Traffic Enforcement

FAST, Data Reporting & Looking
Ahead



Agenda

- FAST Act and TE
- MCSAP Comprehensive Policy (MCP) and TE
- Data & Activity
- Open discussion



Traffic Enforcement and FAST



MCSAP “Plan” - Traffic Enforcement and Safety

§ 31102 (c)(2) – Plan Requirements

- (N) provides satisfactory assurances that the State will undertake efforts that will emphasize and improve enforcement of State and local traffic safety laws and regulations related to commercial motor vehicle safety;
- (T) provides that the State will include in the training manuals for the licensing examination to drive noncommercial motor vehicles and commercial motor vehicles information on best practices for driving safely in the vicinity of noncommercial and commercial motor vehicles;
- (V) provides that the State will conduct comprehensive and highly visible traffic enforcement and commercial motor vehicle safety inspection programs in high-risk locations and corridors



FAST § 31102 (h)(2)

- Documented enforcement of State traffic laws and regulations:
 - Designed to promote the safe operation of commercial motor vehicles
 - Noncommercial motor vehicles when necessary to promote the safe operation of commercial motor vehicles.

- Conditions:
 - Motor carrier safety activities (including inspections) maintained at a level at least equal to 2004 and 2005; and
 - Not use more than 10 percent of the basic amount the State receives under MCSAP for enforcement relating to noncommercial motor vehicles.
 - Necessary to promote the safe operation of commercial motor vehicles
 - Secretary may determine that a higher percentage will result in significant increases in commercial motor vehicle safety.





CMV

- MCSAP Officer
- Non-MCSAP Officer

Non-CMV
(around
CMV)

- MCSAP Officer
- Non-MCSAP Officer

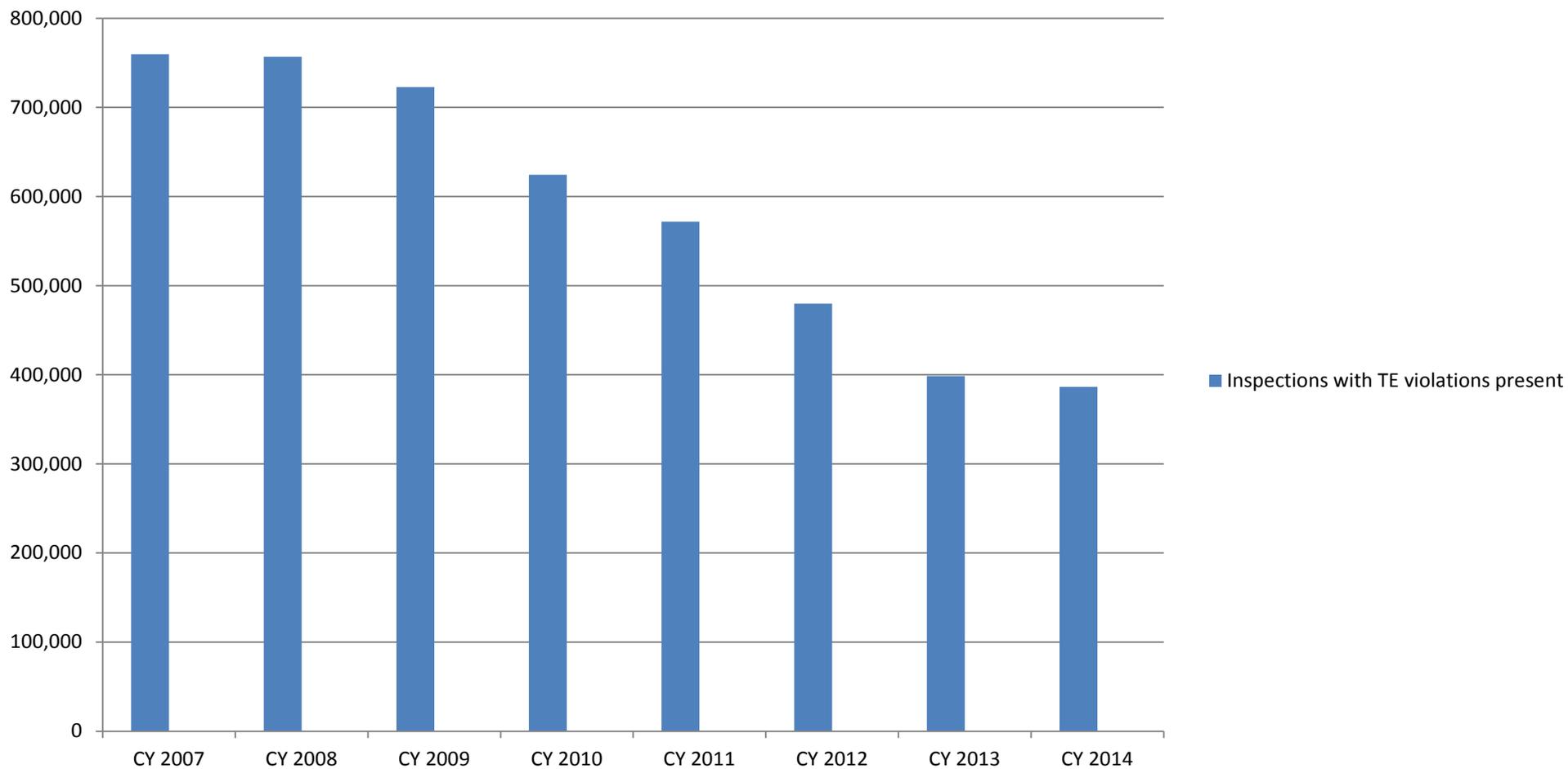


Concern of TE?

- Traffic enforcement is one of the five MCSAP national elements
- Cornerstone of a national commercial vehicle enforcement and safety program
 - Data needed to completely understand impact on safety objectives
 - Comprehensive reporting to stakeholders
- Non-inspection traffic enforcement is one component that is not accurately captured in any current data system or report.
- Data trend indicated decline in inspections associated with TE violations (We'll cover that later).



Traffic Enforcement 2007 - 2014



2015 - What We Asked For

- Number of non-inspection traffic enforcement stops/contacts with CMVs
- Number of citations issued during non-inspection traffic enforcement stops/contacts with a CMV
- Non-CMV's that were operating unsafely in the immediate vicinity of a CMV at the time of the violation.
- Number of citations issued during traffic enforcement stops/contacts on non-CMV's operating unsafely in the immediate vicinity of a CMV. *

* When conducted as part of MCSAP related traffic enforcement



Continued

- Reimbursable costs TE include (documented):
 - CMVs without an inspection.
 - non-CMV without an inspection (safe operation by and around CMVs)
 - Strike force activities in high risk locations and/or corridor
- Requested to start data collection in the first quarter of FY 2015.
 - Goal to have a system is in place by the end of FY 2015
 - Begin consistent data collection in FY 2016



Traffic Enforcement Data

- Gotham TE Input Report as of 1/15/16 (24 States)

MCSAP Non-Inspection Contact (CMV)	2090
MCSAP Non-Inspection Citation (CMV)	5462
MCSAP Non-CMV Contact impacting CMV Safety	819280
MCSAP Non-CMV Citation Impacting CMV Safety	832127
BEG Non-Inspection Contact (CMV)	28
BEG Non-Inspection Citation (CMV)	800
BEG Non-CMV Contact impacting CMV Safety	193
BEG Non-CMV Citation Impacting CMV Safety	2320
HP Non-Inspection Contact (CMV)	68
HP Non-Inspection Citation (CMV)	506
HP Non-CMV Contact impacting CMV Safety	1835
HP Non-CMV Citation Impacting CMV Safety	1860



Inspection related TE

Q. Has FMCSA seen a sharp decline in “Traffic Enforcement” Violations written by State and local officers and inspectors.

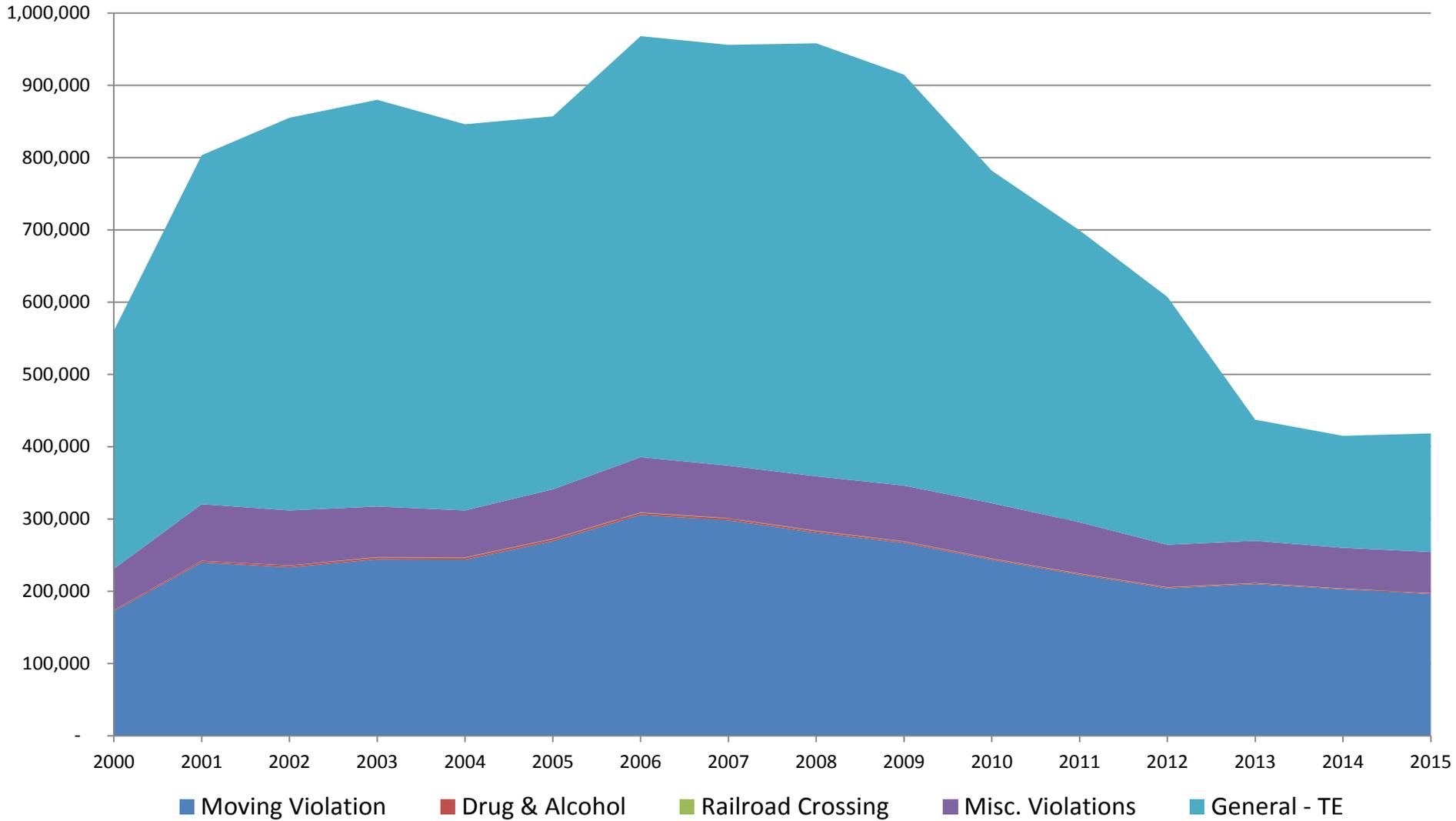
A. It Depends on what you mean by traffic enforcement.



Decline in TE?

- According to FMCSA RIEM traffic enforcement inspections are about four times as effective as roadside inspections.
- Recent discussions, articles, etc. stating sharp decrease in traffic enforcement efforts
- Data did indicate a decrease in activity starting in 2009.





Source: Motor Carrier Management Information System (MCMIS), Snapshot October 23, 2015



What Happened?

1. Timing of the drop-off at first seemed to coincide with a number of economic and statutory events.
2. Enforcement could have been shifted to passenger vehicles operating around commercial motor vehicles or other activities that would not be reported to FMCSA.

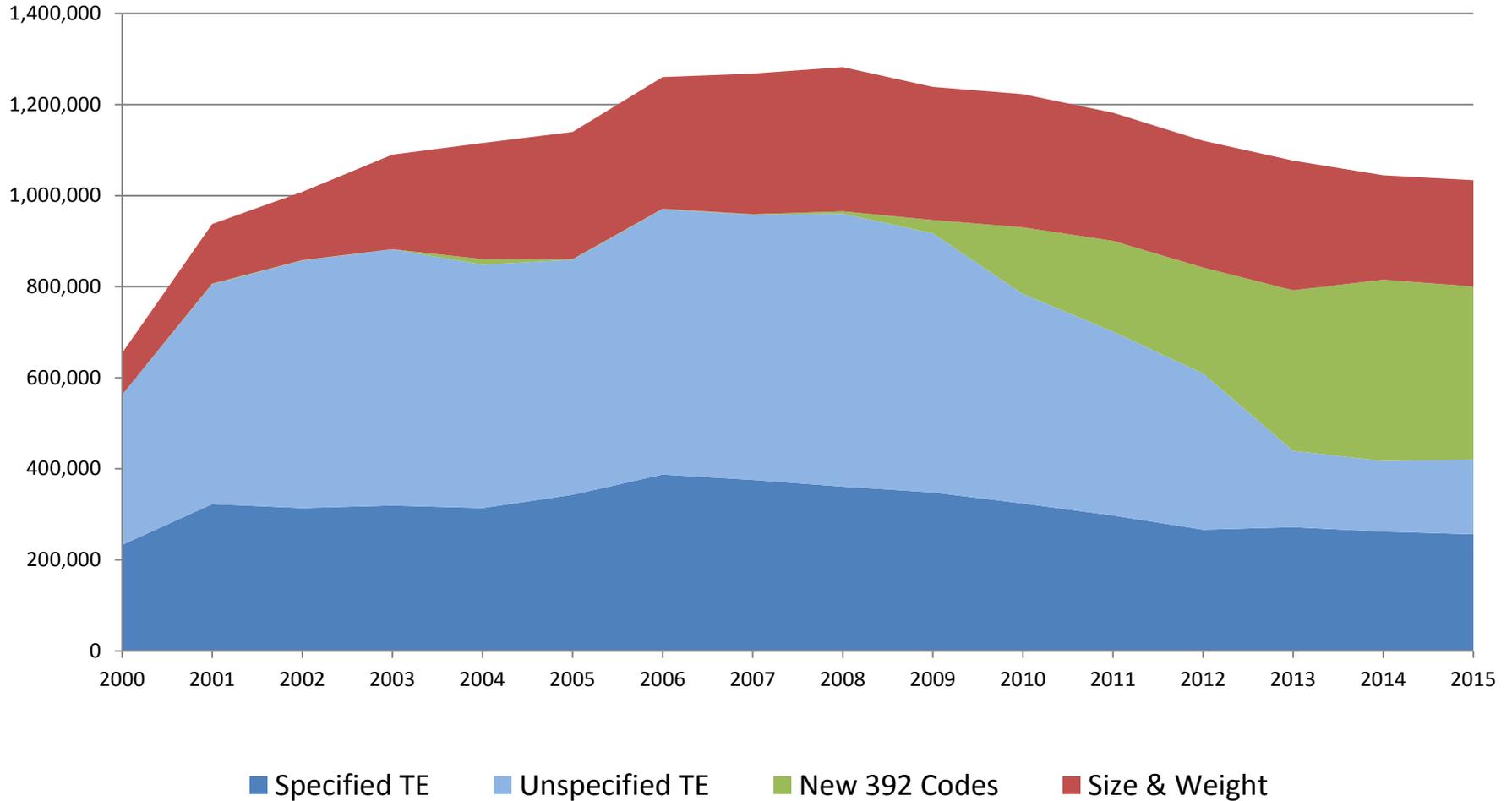


What Happened?

- Traffic violation definitions were updated.
 - Greater delineation between TE and non-TE violations.
 - Increase in 392.2 violations that were no longer counted as “TE”.
 - While overall activity (all 392 violations) has declined slightly, drop is not nearly as severe first thought.



Traffic Enforcement with New Codes



Proposed Solutions

1. Further refine our definition for Traffic Enforcement
2. Work with State partners to find additional ways to better describe unspecified and “other” violations.
3. Link between these violations and the “Traffic Enforcement” check-box in ASPEN and other inspection collection software.



Open Discussion

Barriers to TE reporting and data collection?

How is non-CMV and non-inspection TE reported?

State challenges to enacting reporting systems?

Is data available/accessible through another means?



Thank you

- **Presenters:**
 - Randy Sechrist, State Programs Manager, ESC
 - Brandon Poarch, State Programs Manager, WSC
 - Tom Liberatore, Chief, State Programs Division

