



# FMCSA Implementation of MAP-21

Transportation Research Board

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Office of Research and Information Technology

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# MAP-21 is a Strong Safety Bill

- The Moving Ahead for Progress in the 21st Century Act (MAP-21) provides FMCSA with important new enforcement tools to take unsafe operators off of our Nation's roads.
- MAP-21 tracks FMCSA's strategic framework to improve CMV safety by supporting its three core principles:
  - Raise the bar to enter the industry and operate on our roads;
  - Maintain high safety standards to remain in the industry; and
  - Remove the highest risk drivers, vehicles, and carriers from our roads and prevent them from operating.

# MAP-21 Includes Important Safety Provisions

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- MAP-21 directs FMCSA to pursue a number of important CMV safety initiatives:
  - Requires a new rulemaking on electronic logging devices
  - Sets a deadline for establishing a drug and alcohol clearinghouse for truck and bus drivers
  - Requires FMCSA to develop standards for a system to notify employers of changes in their employees' driving status
  - Establishes new registration requirements to catch reincarnated carriers
  - Ensures that new entrants understand the safety rules before entering the industry.

# FMCSA's Authorizations Under MAP-21 Remain Largely Flat

- *Two year and three month authorization.*
- *Authorization levels are mostly level:*
  - *Administrative expenses (\$244,144,000 in FY2012)*
    - \$251,000,000 for FY 2013
    - \$259,000,000 for FY 2014
  - *Motor Carrier Safety Assistance Program (\$212,000,000 in FY2012):*
    - \$215,000,000 for FY 2013
    - \$218,000,000 for FY 2014
  - *CDL Program Implementation Grants (\$30,000,000 in FY 2012)*
    - \$30,000,000 for FYs 2013 and 2014

# FMCSA's Authorizations Under MAP-21 Remain Largely Flat

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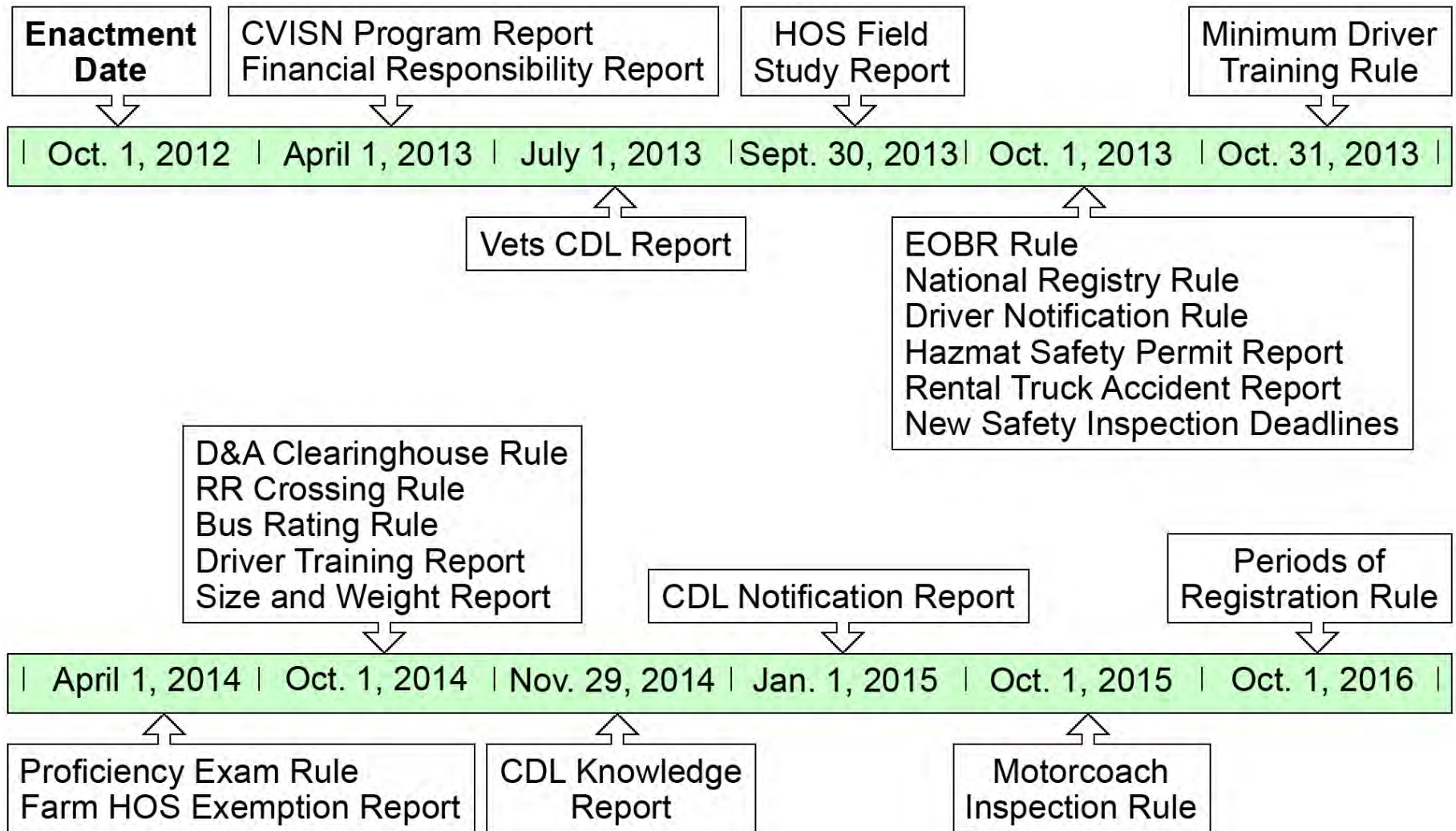
- *Authorization levels are mostly level:*
  - *Border Enforcement Grants* (\$32,000,000 in FY 2012)
    - \$32,000,000 for FYs 2013 and 2014
  - *Commercial Vehicle Information Systems and Networks Grants* (\$25,000,000 for fiscal year 2012)
    - \$25,000,000 for FYs 2013 and 2014
  - *Safety Data Improvement grant program* (\$3,000,000 enacted for fiscal year 2012)
    - \$3,000,000 for FYs 2013 and 2014
  - *New Entrant Audit program grants* (\$29,000,000 enacted for fiscal year 2012)
    - \$32,000,00 for FYs 2013 and 2014

# Though MAP-21 Includes a Large Number of Mandates for FMCSA to Complete

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- MAP-21 directs the Agency to complete 29 new rulemakings within 27 months (which does not include rulemakings already underway by the Agency).
- This compares to 12 for FHWA; 10 for FTA; 7 for NHTSA; and 2 for PHMSA.
- MAP-21 also requires FMCSA to implement 34 programmatic changes and complete 15 reports.

# Congress Established an Aggressive Schedule to Meet These Mandates



# The MAP-21 Mandates Are In Addition to FMCSA's 2012 Safety Priorities

FMCSA established the following rulemakings as 2012 priorities:

- National Registry (Completed April 20, 2012)
- Electronic logging devices (SNPRM scheduled March 2013)
- Rules of Practice (Completed April 26, 2012)
- Patterns of Safety Violations (NPRM published October 2012)
- Safety Fitness Determination (NPRM scheduled 2013)
- Unified Registration System (Final Rule scheduled 2013)
- Bus Leasing (NPRM scheduled March 2013)
- Drug & Alcohol Clearinghouse (NPRM scheduled early 2013)
- National Registry 2 (NPRM scheduled March 2013)
- No Defect DVIR (Final Rule published June 12, 2012)
- Reduction of Quarterly Financial Reporting (DFR completed June 27, 2012; rescinded August 27, 2012)



## ...Though Some MAP-21 Mandates Overlap with 2012 Priorities

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Among the 2012 priorities, MAP-21 impacts:

- Electronic logging devices (SNPRM due March 2013)
- Patterns of Safety Violations (NPRM published October 2012)
- Safety Fitness Determination (NPRM due 2013)
- Drug & Alcohol Clearinghouse (NPRM due 2013)
- National Registry 2 (NPRM scheduled March 2013)

# Examples of MAP-21 Provisions That Take Effect Oct. 1, 2012

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- Increase enforcement penalties and imminent hazard authority for unsafe property carriers including impoundment
- Improved grant standards to States for CMV-safety grants
- New authority to order the return of household goods held hostage
- Agricultural exemption provisions

# FMCSA Has Nearly Completed its SAFETEA-LU Mandates

- Patterns of Safety Violations (NPRM published October 2012)
- Unified Registration System (FR Scheduled 2013)
- Consumer Complaint Information (FR Schedule Undetermined)
- Hazmat Regulations (No action taken to date)
- Emergency Authority for Hazmat Transportation (Companion Rule – Pending PHMSA Rule)
- Background Checks for Canada- and Mexico-Domiciled Drivers Hauling Hazardous Materials (Meeting with TSA planned)
- Enhance Authority to Discover Hidden Shipments of Hazardous Material (Companion Rule – Pending PHMSA Rule)

# And It is Developing Two New Rules to Begin Implementing MAP-21

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1. URS 2 Rule – Will implement new registration requirements, including new registration fee and registration requirements for brokers and freight forwarders.
2. MAP-21 Omnibus Rule – Will include 16 MAP-21 provisions that are non-discretionary and self executing, like increased penalties and enhanced safety authorities.

# Next Steps

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- Stakeholder outreach to obtain input on MAP-21 priorities – Initiatives begun in September 2012
- Incorporate MAP-21 priorities into multi-year strategic planning
- Complete SAFETEA-LU mandates
- Educate Agency field staff and State partners on new safety authorities and responsibilities
- Update grant agreements to reflect new State reporting requirements
- Update penalty matrix to incorporate new penalty levels and penalty considerations
- Prepare two new rules: URS 2 and MAP-21 omnibus rule
- Begin work on the next reauthorization proposal



# Raising the Bar to Safety – FMCSA



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