

CSA 2010: Special Report

With fewer than two percent of the motor carriers in the U.S. currently undergoing compliance reviews each year, the Federal Motor Carrier Safety Administration (FMCSA) is in the process of launching the new Comprehensive Safety Analysis 2010 (CSA 2010) initiative. FMCSA officials began developing this data-driven system back in 2004, in order to analyze all inspection reports on motor carriers and drivers to identify trends of non-compliance. This database system will calculate monthly safety ratings for companies and drivers, flagging those with numerous violations, placing themselves in the forefront of FMCSA's compliance radar. The goal of the initiative is to improve compliance and enforcement programs to facilitate reduction of large truck and bus crashes, as well as their associated injuries and fatalities, while making efficient and effective use of FMCSA resources and the state partners.

CSA 2010 is simple in concept, but complex in the details. To begin, the program can be broken down into four major elements:

- Data Measurement
- Safety Fitness Determination
- FMCSA Intervention
- Information Technology

Data Measurement

The FMCSA intends to collect and group all safety performance data on motor carriers and their drivers. Rather than using the four broad categories (accidents, drivers, vehicles, and safety management) currently used with the present SafeStat system, CSA 2010 would group data into seven categories, called BASICs (Behavioral Analysis and Safety Improvement Categories).

The seven BASICs and the federal regulations they relate to are:

- Unsafe Driving (Parts 392 and 397);
- Fatigued Driving (Parts 392 and 395);
- Driver Fitness (Parts 383 and 391);
- Controlled Substances/Alcohol (Parts 382 and 392);
- Vehicle Maintenance (Parts 393 and 396);
- Improper Loading/Cargo Securement (Parts 392, 393, 397, and hazmat); and
- Crash Indicator

This data is based on information received from on-road safety performance, including roadside inspections, enforcements from traffic laws, intervention processes and crashes. The handling of this information is where the most significant change will occur. While the current system calculates a compliance rating based on "out-of-service" and moving violations, CSA 2010 will consider all violations included on inspections, whether it was an out-of-service violation or not. FMCSA will intervene with carriers to address unsafe driver behaviors. They will use these same BASICs as sources for data to determine the safety fitness for the individual drivers.

Safety Fitness Determination

The Safety Measurement System will score the carriers in each of the BASICS and then make the safety fitness determination whether a carrier should continue to operate or not.

What is the Safety Measurement System (SMS)?

SMS is replacing SafeStat as the new operational model, with the improved ability to identify demonstrated specific safety problems over the previous two years and to monitor whether they are improving or getting worse. There are six measurable differences between the SMS and SafeStat.

Comparison of SafeStat System to CSA 2010 Safety Measurement System (SMS):

SafeStat (present tracking system)	CSA 2010 (SMS)
Assesses carriers only.	Assesses carriers and drivers.
Carrier measured in four Safety Evaluation Areas (SEAs): <ul style="list-style-type: none"> • DOT Accidents. • Drivers (out-of-service percentage and moving violations). • Vehicles (out-of-service percentage). • Safety Management (past compliance reviews). 	Carrier measured in seven Behavioral Analysis and Safety Improvement Categories (BASICS): <ul style="list-style-type: none"> • Unsafe driving (violations include speeding, reckless driving, improper lane change, and inattention). • Fatigued driving (violations of the hours-of-service regulations). • Driver fitness (violations involving the lack of credentials, training, or medical qualifications). • Controlled substance or alcohol. • Vehicle maintenance (violations involving improper or inadequate maintenance or vehicle condition). • Improper loading or cargo securement. • Crash history (DOT accidents only).
Only out-of-service violations documented following a roadside inspection are used in the calculation of SEA scores.	<u>All</u> violations documented following a roadside inspection will be used to calculate BASIC scores.
Violations are weighted based on "time" (more recent count more).	Violations will also be weighted based on "risk" (more dangerous violations will count more).
No "rating" assigned by system (carriers are prioritized for compliance review).	Carriers and drivers are "rated" each time scores are calculated. Carriers and drivers determined to be unsafe based on data can be declared "unfit" and informed to cease operations.
Goal of the system: To select high-risk carriers for compliance review.	Goal of the system: To identify carriers with safety problems early and provide a variety of interventions, including some that inform the carrier of the problems and allows the carrier to "self-correct."

CSA 2010 will consider both the carrier and the driver in their safety performance. There are two safety systems - one for the carriers, the Carrier Safety Measurement System (CSMS) and one for the drivers, the Driver Safety Measurement System (DSMS).

A carrier's score for each BASIC is determined by the number of adverse safety events, severity of violations or crashes, and when the safety event occurred (newer events are more heavily weighted than older events). For a complete listing of pointable violations according to the SMS Methodology, please go to the following link and refer to pages A-3/A-64 - Tables 1-6 - Unsafe Driving.

(http://csa2010.fmcsa.dot.gov/Documents/SMSMethodologyVersion1_2Final_2009_06_18.pdf)

The Driver Safety Measurement System (DSMS) is being implemented to stop drivers from eluding safety programs by jumping from carrier to carrier and not informing carriers of any past records. The CSA 2010 approach will directly monitor safety and performance of the individual drivers and will address problems based on their records across multiple employers and hold both motor carriers and drivers accountable for safety and performance. The DSMS will evaluate roadside performance for three (3) years over all carriers where the driver has been employed. Using the new database system, Safety Investigators can identify "high profile" drivers with poor safety histories that work for carriers that have been identified as requiring CSA 2010 investigation. The DSMS will focus on serious violations such as driving while disqualified, driving without a valid CDL, making a false entry on a medical certificate, and numerous hours of service violations.

The FMCSA aims to hold companies and drivers equally accountable, which is another significant change for CSA 2010.

FMCSA Intervention

Three proposed fitness ratings in the 2010 program are:

- "Unfit" - Unfit carriers/drivers will be asked to immediately correct their safety performance and show how they are going to do this or discontinue operations.
- "Marginal" - Marginal carriers/drivers will be able to continue operations, but with intervention.
- "Continue to operate" - Continue to operate will allow for continued operation.

If one or more of a carrier's BASIC percentiles exceed a threshold, the carrier becomes a candidate for intervention. If the BASICs score gets higher, this will cause motor carriers to enter and/or remain in the deficient BASICs. Increased scoring could cause more severe intervention.

Intervention (listed in order of severity):

Tier 1 - Informative

- Warning Letter
- Focused Roadside Inspection
- Carrier Access to Safety Data and Measurement

Tier 2 - Interactive

- Off-Site Investigation
- On-Site Investigation-Focused
- On-Site Investigation-Comprehensive

Tier 3 - Prescriptive

- Cooperative Safety Plan
- Notice of Violation
- Notice of Claim
- Unfit Suspension (Safety Fitness Determination) - Out of Service Order

The severity of the rating will determine the action taken by the FMCSA. Your facility could receive anything from a warning letter telling you to improve compliance all the way to an on-site review of company records. The determination would be updated every 30 days. CSA 2010 is completely dependent upon the data, which is the one area raising concern for the Owner-Operator Independent Drivers Association (OOIDA). The data will include all violations, without any limitations, not just convictions. "The fact that all violations, rather than convictions, are being entered into this system sets drivers up to be accused, tried and convicted on the roadside by enforcement personnel," said OOIDA Director of Regulatory Affairs Rick Craig. Citations, warnings and inspection violations will all be included in the database and calculated to figure driver and carrier safety ratings.

Information Technology

CSA 2010 is designed to improve existing systems already being utilized by the FMCSA, as well as increase the use of additional technologies. The BASICs and reporting systems would all be part of these new systems. Carriers will be able to access and view all of their data online, similar to the current SafeStat system.

In addition to the new database, many trainings, seminars and trainings through the web are being offered for the new CSA 2010.

Timeline for CSA 2010 Implementation

- July 2010
 - Replace SafeStat with SMS (CSA 2010)
 - Send warning letters to ALL motor carriers nationwide
 - Begin inspecting carriers with deficient BASICs from collected data
 - Finalize intervention process
- Implementation Steps and Training
 - Enhance Information Technology
 - Train present workforce in entering new data
 - Workforce training (July thru December 2010)
 - Outreach and communications to motor carriers on SMS (CSA 2010)

The FMCSA is scheduled to have CSA 2010 fully implemented between July and December of 2010.

Get Ready

- To learn more about CSA 2010 and prepare for the changes, go to <http://fmcsa.dot.gov/csa2010> to visit the CSA 2010 website and ensure compliance with existing regulations.
 - Understand the BASICs
 - Check the site for implementation schedule
 - Sign up for the latest news: RSS/listserv
- Check and update records
 - Motor Carrier Census (Form MCS-150)

- Inspection and Crash Reports
- Ensure compliance
 - Review inspections and violation history over the past two (2) years
 - Address safety problems now
 - Educate drivers about how their performance impacts their own driving record, as well as the safety assessment of the carrier

In Summary

- CSA 2010 enables the FMCSA and its state partners to contact carriers with deficiencies earlier to address safety problems before they occur.
- CSA 2010 increases the effectiveness and efficiency of the agency's enforcement and compliance model.
 - In-test, CSA 2010 investigates 20% more carriers.
 - Warning letters are compelling carriers to recognize and address their safety deficiencies now.
- CSA 2010 is going to happen and will affect everyone in the industry.
- Although the drivers will be given a safety score under CSA 2010 and will probably be the target of most interventions, the carrier still pays a heavy price.
- Carriers will most likely be paying more in fines than ever before.
- Industry observers predict that as many as 30% of current drivers could be out of a job after the first year of CSA 2010, due to deficient driver ratings.
- While a carrier's safety fitness determination is based on the previous two years of history, a driver's score is based on the previous three years of employment, inclusive of all carriers.
- The process is comparable to an IRS audit. It is not anything a carrier wants to have happen, and once they appear on FMCSA's radar, it is a tough process to be removed from their scrutiny.
- For CSA 2010 to be successful, it will require an effort of cooperation from people at every level within FMCSA, the state, motor carriers, the association of trucking industries and trucking associations.