



Multi-State Highway Transportation Agreement
dba: Western States Transportation Alliance (WSTA)

RESOLUTION 2009-2: CVSA Lead Agency Responsibilities for Commercial Vehicle Safety Alliance and Motor Carrier Safety Administration Program or CVSA/MCSAP Safety Inspection Program.

Whereas the commercial vehicle industry has long supported the commercial vehicle inspection programs conducted under the auspices of CVSA and the MCSAP programs supported by FMCSA and,

Whereas these commercial vehicle inspection programs utilize several layers of both state and local government agencies to inspect and enforce commercial vehicle safety standards and,

Whereas MCSAP lead agencies are charged with oversight and the quality of these commercial vehicle safety efforts in their states and,

Whereas inspections by various local governments and other non-lead MCSAP agencies of commercial motor vehicles could result in duplication of efforts, cause issues with carrier safety profiles, and standards established by CVSA or FMCSA and,

Whereas, enforcement data collected by commercial motor vehicle safety inspectors at the roadside is the foundation of all data driven traffic safety initiatives and is used to drive valuable programs such as Comprehensive Safety Analysis 2010 (CSA 2010) and Ticketing Aggressive Cars and Trucks (TACT).

Furthermore, as proposed in the Federal Motor Carrier Safety Administration's "Safety Fitness Determination" rule making, the agency may use this data to rate a commercial carrier's safety fitness and ability to operate and,

Whereas, the importance of this data cannot be understated as it has strong implications to all stakeholders in commercial vehicle safety. Because of the current and proposed future uses of the roadside data, MHTA/WSTA strongly believes that this data should be consistent, uniform and of the highest quality possible. While there is an understanding within MHTA/WSTA that current data is fundamentally sound, MHTA/WSTA believes the data could be enhanced through specific actions by federal, state and local regulatory agencies. MHTA/WSTA believes that specific enhancements to the data will serve to improve the quality and overall integrity of the various commercial vehicle safety initiatives.

Now, therefore be it resolved, that MHTA/WSTA member states endorse and support that lead MCSAP agencies in member states shall support and request that local governments and other non-lead MCSAP agencies shall:

1. Ensure all enforcement agencies that perform inspections comply with applicable CVSA, FMCSA and lead MCSAP agency guidelines and operational policies.
2. MHTA/WSTA recognizes that there are reasonable variances that may impact consistent and uniform collection of roadside data. These differences should not be such that they would jeopardize the integrity of these safety program or the stakeholders in these programs. As a result, both the lead MCSAP agency and FMCSA should be evaluated and monitored to ensure that these variances meet acceptable tolerances.
3. Issuance of CVSA decals to CMV's according to CVSA Operational Policies and honor current decals according to these same policies.
4. The upload of inspection documentation within established timeframes as established by FMCSA.

Approved by MHTA/WSTA: November 14th 2009

Distribution of Resolution:

MHTA/WSTA Member MCSAP Lead Agencies, DOT agencies, Ports of Entry.
MHTA/WSTA Cooperating Committee, Board of Directors, Affiliated Members.

MHTA/WSTA Governors

FMCSA and National CVSA Offices