

## 5Star Specialty Programs – Looking Ahead To Road Safety FMCSA's New Compliance, Safety, Accountability Program For Commercial Vehicles

By Robert Alkire, Senior Vice President – Public Auto

If you could guarantee commercial drivers could have one thing while driving, what would it be? If you said safer roads, you're in luck. The Federal Motor Carrier Safety Administration (FMCSA) is rolling out its Compliance, Safety, Accountability (CSA) Program (previously known as CSA 2010) establishing a new nationwide system for creating safer roads — this has positive implications, not only for motor carriers, but for everyone who shares the road.

Think you won't be affected? If your private or for-hire fleet has a U.S. DOT number, CSA will affect you and your commercial motor vehicles. This is why it's an important program to understand.

Over the past few years, the rate of crash reduction has slowed, prompting a fresh look at how the safety for motor carriers and drivers is evaluated. This renewed focus provides the opportunity to identify new ways to improve safety. FMCSA guidelines will allow CSA to assess a greater segment of the industry, to interact with more carriers and to change unsafe behavior when intervention is needed.

These new guidelines include review of your fleet's safety performance records so that roadside inspectors and the FMCSA are able to identify driving risks more quickly, and to determine if additional safety inspections are needed.

"We worked closely with our partners in the motor vehicle community to develop this powerful new program," FMCSA Administrator Anne S. Ferro said. "CSA is an important new tool that will help reduce commercial vehicle-related crashes and save lives."

Created to improve large truck and bus safety — and ultimately decrease crashes, injuries and fatalities related to commercial motor vehicles — CSA impacts the safety behavior of more carriers and drivers, uses continually improving statistics to better identify high-risk carriers and drivers, and applies a broader array of interventions to reduce high-risk behavior. In addition, the program is now public. This allows everyone access to search for motor carriers by name or DOT number, and review their safety performance.

### How Does CSA Operate?

By providing a better insight into how well large commercial motor vehicle carriers and drivers are complying with safety rules, FMCSA is able to intervene earlier with those who are not, thus making the roads safer for everyone. Though there are many facets to the way the program operates, the core of CSA is the Safety Measurement System (SMS).

SMS is a tool used to evaluate available roadside performance data, and will allow carriers an assessment of their weaknesses in various safety areas. Collected SMS data is utilized to rank safety-based violations. These rankings are based on seven safety improvement categories called Behavior Analysis and Safety Improvement Categories (BASICS), used to determine a commercial motor carrier's on-road performance as well as crash involvement.

Categories include unsafe driving, fatigued driving, driver fitness, controlled substances/alcohol, vehicle maintenance, cargo-related, and crash indicator.

A carrier's measurement for each BASIC depends on the number of adverse safety events, the severity of violations or crashes and when the adverse safety events occurred. More importantly, this information is used to target the highest-risk carriers and determine what type of intervention is necessary. This is done to provide them with the information needed to change hazardous practices early on.

### What Interventions Will FMCSA Take?

The FMCSA will use rankings and measurement results to identify carriers for CSA interventions. Interventions range from warning letters, to on-site comprehensive investigations, to follow-ons including the Cooperative Safety Plan (CSP) which is a structured plan for safety improvements based on the underlying factors causing the carrier's safety deficiencies. It is a voluntary plan, on the part of the carrier, to improve the carrier's safety performance. There is also the Notice of Violation (NOV) which is a formal notice of infringements that requires response from the carrier providing evidence the problems were addressed; as well as the Notice of Claim (NOC) and Operations Out-of-Service Order (OOS), which are issued to the carrier to stop all motor vehicle operations and are placed out of business.

These interventions allow investigators to thoroughly evaluate why safety problems are occurring, recommend remedies, encourage corrective action(s), and, where corrective action is lacking, apply penalties.

### How Can Risk Management

### Experts & Safety Professionals Help?

"The topic of safety and regulatory agencies typically generates two thoughts," 5Star Specialty Programs VP of Loss Control Services Charlie Johnson said. "The first being — government agencies should focus on compliance assistance, offering programs to help improve safety without fear of punishment. The second is typically — government agencies should enforce laws designed to penalize employers who violate safety standards. This creates an incentive for transit operators to comply with the law.

"I believe a mixture of compliance assistance and enforcement would be the most effective method. Choose your position wisely because the root causes of accidents, injuries, illnesses and fatalities are anything but simple."

Risk control and safety professionals can help a commercial fleet management team to better understand the CSA program in many ways. They can:

- Provide support focusing on compliance assistance and training programs;
- Provide assistance to commercial fleet operators, helping them understand the implications of the program and that the general public will have access to FMCSA ratings;
- Assist in developing and maintaining safe carrier ratings with the new CSA System as customers may make their selections based on the rating and create competitiveness;
- Provide assistance in developing a Cooperative Safety Plan (CSP); and,
- Assist in navigating the data Qs system as many indicators are lagging and some figures may be misleading or data may be inaccurate.

### What Can I Expect?

The overall goal of CSA is not to discourage drivers and fleet owners, but rather encourage them to think *safety* while driving commercial vehicles. This program will allow carriers and other firms within the motor carrier industry to make safety-based business decisions to protect themselves and other drivers on the road. But most importantly, we can anticipate safer roads — for everyone.

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To learn more, visit <http://csa.fmcsa.dot.gov>. To see the new SMS and access data, visit <http://ai.fmcsa.dot.gov/sms>.

Sources used: <http://csa.fmcsa.dot.gov>, U.S. Department of Transportation, Federal Motor Carrier Safety Administration, 2010.

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