

# Qualifying for High Priority & Border Funds

To receive these funds,

- States must fulfill the requirements for receiving Basic Program Funds.
- Local agencies must
  1. Prepare a proposal (49 CFR Part 350.213).
  2. Coordinate activities, agreements, and documentation as noted in Part 350.329.
  3. Obligate a 20% share.



## Exemptions and Variances

For a State to be eligible to receive MCSAP funding, State laws for all interstate CMV traffic must be compatible with the FMCSRs and FHMRs. However, tolerance guidelines have been established for limited deviations for intrastate commerce. Compatibilities are explained in 49 CFR Parts 350.331-345.

# MCSAP

## National Program Elements

- Driver/vehicle inspections
- Traffic enforcement
- Compliance reviews
- Public education and awareness
- Data collection

**A** Commercial Motor Vehicle (CMV) is a vehicle with any one of the following characteristics:

- A gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating of 4,537 kg (10,001 lbs) or more
- Regardless of weight, designed or used to transport eight or more passengers, including driver
- Regardless of weight, used in the transportation of hazardous materials and required to be placarded under the FHMRs

The complete MCSAP Final Rule is contained in 49 CFR Part 350. The Federal Register is accessible at <http://www.nara.gov/fedreg>.

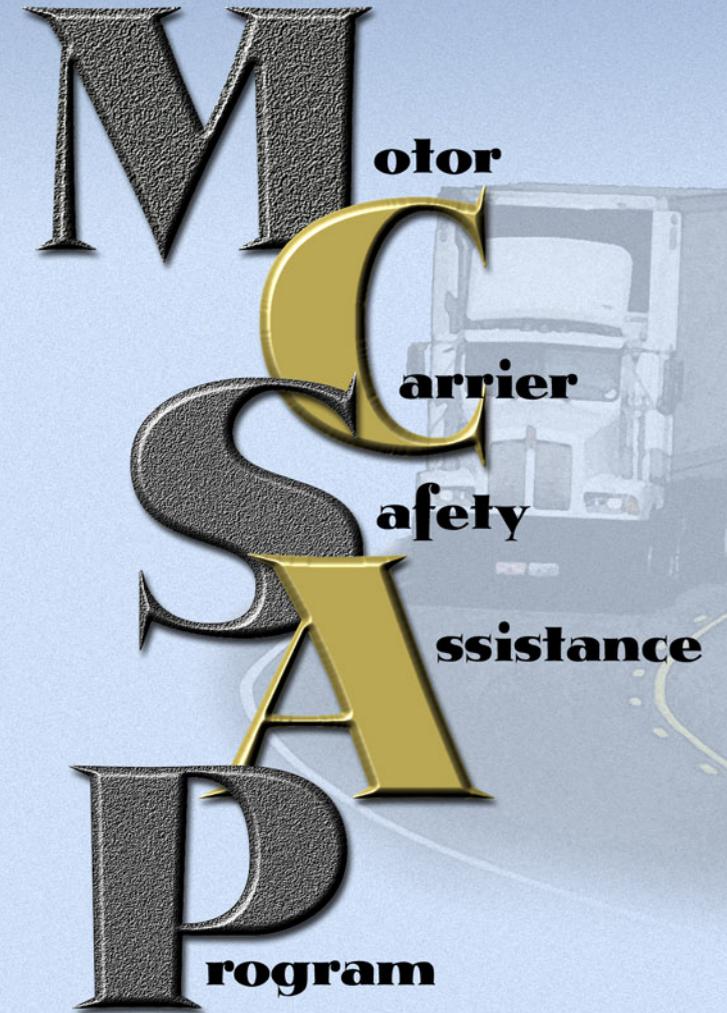
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Also see the FMCSA website @ <http://www.fmcsa.dot.gov>

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March 2000



U. S. Department of Transportation (DOT)  
Federal Motor Carrier Safety Administration (FMCSA)

# MCSAP

is a Federal grant program for all States, Territories, and the District of Columbia. Its goal is to reduce the number and severity of accidents and hazardous materials incidents involving commercial motor vehicles (CMUs).

- **Basic Program Funds:** Allocated by formula to States that qualify
- **Incentive Funds:** Awarded to States that achieve certain performance goals
- **High Priority Activity Funds:** Provided to States and local agencies to support national priorities for CMU safety and compliance
- **Border Activity Funds:** Provided to States and local agencies to support CMU safety and enforcement along the U.S. border

## MCSAP Funds Distribution (\$)

	FY2001	FY2002	FY2003
Total MCSAP Funds TEA-21 MCS Act of 1999 (H.R. 3419)	100,000,000 <u>55,000,000</u> 155,000,000	105,000,000 <u>55,000,000</u> 160,000,000	110,000,000 <u>55,000,000</u> 165,000,000
Administrative Takedown*	1,937,500	2,000,000	2,062,500
High Priority Activities	7,750,000	8,000,000	8,250,000
Border Activities	7,750,000	8,000,000	8,250,000
Basic Program Funds	130,684,375 (95%)	130,640,000 (92%)	130,329,375 (89%)
Incentive Funds	6,878,125 (5%)	11,360,000 (8%)	16,108,125 (11%)

\*A minimum of 75% is dedicated for training State and local personnel.

## Qualifying for Basic Program Funds

To receive Basic Program Funds, a State must

- Adopt and enforce State laws that are compatible with the Federal Motor Carrier Safety Regulations (FMCSRs) and Federal Hazardous Materials Regulations (FHMRS).
- Prepare a complete Commercial Vehicle Safety Plan (CUSP) which reflects a performance-based program and includes the items described in 49 CFR Part 350.213.
- Submit the CUSP and all required documentation (350.201), including the State Certification of Compliance (350.211), to the State Director, Federal Motor Carrier Safety Administration, by August 1 each year.
- Obligate a State share of 20% (not required for Territories).
- Maintain a level of effort as explained in 49 CFR Part 350.301.

States with approved CUSPs receive Basic Program Funds based on a formula that uses four equally weighted factors: road miles, all vehicle miles traveled, annual population estimates, and special fuel consumption (net after reciprocity adjustment). Population estimates are updated annually by the U.S. Census Bureau. The other factors are from FHWA's *Highway Statistics*. The factor road miles is based on 1997 data, which includes mileage on Federally controlled lands. Values for vehicle miles traveled and special fuel consumption are updated annually from data submitted by the States. Maximum (4.944%) and minimum (0.44% or \$350,000) limits are applied.

States should ensure that they submit high-quality, timely, accurate data to obtain an equitable allocation of MCSAP funds.

## Qualifying for Incentive Funds

To receive Incentive Funds, a State must show performance improvement.

The distribution of Incentive Funds is by shares. The amount received by a State depends on the total number of shares earned by all States. Performance areas and their respective shares are as follows:

- Reduce the number of fatal accidents involving large trucks (5 shares).
- Reduce the large-truck-involved fatal accident rate, or maintain a rate that is among the lowest 10% of all MCSAP recipients (4 shares).
- Verify commercial drivers' licenses (CDLs) during all roadside inspections (2 shares).
- Upload CMU inspection data, in accordance with current FMCSA policy guidelines (2 shares).
- Upload CMU accident reports in accordance with current FMCSA policy guidelines (2 shares).

The total number of all States' shares is used to determine the value of one share. A State's final Incentive allocation is derived by multiplying the State's percentage of the Basic Program Funds times the State's total number of shares times the dollar value of one share.

Fatal accident information is from the Fatality Analysis Reporting System (FARS). The fatal accident rate for a State is defined as the total number of fatal accidents involving large trucks divided by the total vehicle miles traveled (all vehicles). A reduction in accidents or accident rate is determined by comparing data for the most recent available calendar year to the previous 10-year average.

States must provide a 20% share.