



Commercial Vehicle Safety Alliance

Improving commercial motor vehicle safety and enforcement

October 28, 2025

The Honorable Derek D. Barrs
Administrator
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue, SE
6th Floor, West Building
Washington, DC 20590-9898

RE: Petition for Rulemaking – Amend Title 49 CFR § 385.4(b)(2) to reflect the updated “Operational Policy 4: Inspector Training and Certification,” revised Sept. 25, 2025

Dear Administrator Barrs,

Pursuant to Title 49 Code of Federal Regulations (CFR) § 389.31, the Commercial Vehicle Safety Alliance (CVSA) is petitioning the Federal Motor Carrier Safety Administration (FMCSA) to amend the incorporation by reference of the Commercial Vehicle Safety Alliance’s (CVSA) “Operational Policy 4: Inspector Training and Certification” in § 385.4(b)(2) to reflect the newest edition, which was revised on Sept. 25, 2025.

CVSA is a nonprofit organization comprised of local, state, provincial, territorial and federal commercial motor vehicle safety officials and industry representatives. The Alliance aims to prevent commercial motor vehicle crashes, injuries and fatalities and believes that collaboration between government and industry improves road safety and saves lives. Our mission is to improve commercial motor vehicle safety and enforcement by providing guidance, education and advocacy for enforcement and industry across North America.

Request

CVSA petitions FMCSA to amend the Federal Motor Carrier Safety Regulations (FMCSR) pertaining to Matters Incorporated by Reference by updating the reference to CVSA’s “Operational Policy 4: Inspector Training and Certification” in § 385.4(b)(2) to reflect the newest edition, which was revised on Sept. 25, 2025.

Justification

CVSA developed and maintains the North American Standard Inspection Program, which is comprised of the inspection procedures and criteria that CVSA-certified commercial motor vehicle inspectors in each North American state, jurisdiction, territory and province use to inspect commercial motor vehicles. As such, CVSA is the official body responsible for the development and distribution of the following certification training courses to its membership: North American Standard Part A (Driver) Inspection; North American Standard Part B

(Vehicle) Inspection; Passenger Carrier Vehicle Inspection; Cargo Tank Inspection; Hazardous Materials/Dangerous Goods Inspection; Other Bulk Packaging Inspection; New Entrant Safety Audit; Investigative Safety Analysis; and Cargo Tank Facility Review. CVSA's "Operational Policy 4: Inspector Training and Certification" provides the current policy and practices for FMCSA employees, state or local government employees, and contractors to obtain and maintain certification for conducting driver or vehicle inspections.

Section 5205 of the Fixing America's Surface Transportation (FAST) Act required FMCSA to incorporate by reference the certification standards for roadside inspectors issued by CVSA. On Aug. 27, 2021, FMCSA published a final rule incorporating "Operational Policy 4: Inspector Training and Certification" into § 385.4(b)(2) of the FMCSR. However, CVSA's "Operational Policy 4: Inspector Training and Certification" is reviewed and updated on a regular basis. As a result, the current reference to the April 29, 2021, edition is outdated, and needs to reflect the most up to date standard, which was approved by CVSA's Board of Directors on Sept. 25, 2025.

CVSA works to closely monitor, evaluate and identify potentially unsafe transportation processes and procedures as well as to help facilitate and implement best practices for enhancing safety on our highways. Commercial motor vehicle safety continues to be a challenge and we need the involvement of all affected parties to help us better understand these issues and put into place practical solutions. We appreciate the agency's consideration of this request.

If you have further questions or comments, please do not hesitate to contact me at 202-998-1008 or collin.mooney@cvsa.org.

Respectfully,

A handwritten signature in black ink, appearing to read "Collin B. Mooney".

Collin B. Mooney, MPA, CAE
Executive Director
Commercial Vehicle Safety Alliance