



Commercial Vehicle Safety Alliance

Improving commercial motor vehicle safety and enforcement

October 22, 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: Revised Guidance for Documenting and Enforcing Unsafe Driving Violations

Dear Administrator Barrs,

The Commercial Vehicle Safety Alliance (CVSA) requests that the Federal Motor Carrier Safety Administration (FMCSA) update Attachment A of Policy MC-SEE-2021-005 – Revised Guidance for Documenting and Enforcing Unsafe Driving Violations. Attachment A of this policy requires investigators to cite specific violation types of Title 49 Code of Federal Regulations (CFR) § 392.2 during an investigation. However, the violation codes in the guidance document are outdated, resulting in ineffective contacts with motor carriers. To ensure accuracy in enforcement data, CVSA requests that the agency update the document to reflect the current violation codes.

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.

Justification

CVSA has a cooperative agreement with FMCSA to train state and local law enforcement officers in the proper procedures to conduct roadside inspections of commercial motor vehicles, as well as to develop and maintain certification courses for performing inspections and investigations on commercial motor vehicles, drivers and carriers. Current guidance conflicts with roadside inspection data input for calculation in FMCSA's Safety Measurement System (SMS). The discrepancy in what data is cited roadside compared to the outdated codes referenced in the guidance results in motor carriers having high Unsafe Driving BASIC scores and investigators being unable to adequately hold them accountable. This becomes particularly concerning when the violation includes a citation (or a citation is issued without a violation) because those instances cannot be attributed to a critical

violation of Title 49 CFR § 392.2. Updating the guidance on this policy will ensure that CVSA provides the proper direction to roadside inspectors and the state and local officials conducting investigations.

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 commitment to safety and stakeholder involvement.

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