



# Commercial Vehicle Safety Alliance

Improving commercial motor vehicle safety and enforcement

## Enforcement Training and Support Grant

***To strengthen and improve the Enforcement Training and Support Grant, the Commercial Vehicle Safety Alliance (CVSA) recommends:***

- ***Clarifying that training for state instructors is included as part of the Enforcement Training and Support Grant.***
- ***Implementing a multiyear grant cycle for the Enforcement Training and Support Grant.***
- ***Ensuring that the organization comprised of state government agencies responsible for the oversight and implementation of commercial motor vehicle enforcement activities is the single grant recipient.***

The federal government entrusts the states with the responsibility of enforcing the Federal Motor Carrier Safety Regulations (FMCSR) and the Hazardous Materials Regulations (HMR). To meet that responsibility, Congress provides funding to the states, through the Motor Carrier Safety Assistance Program (MCSAP) and the High Priority Grant Program. States use these funds to conduct enforcement activities, train enforcement personnel, purchase necessary equipment, update software and other technology, and conduct outreach and education campaigns to raise awareness related to commercial motor vehicle (CMV) safety issues. State CMV inspectors, auditors and investigators conduct nearly three million CMV roadside inspections, 40,000 new entrant safety audits and approximately 4,000 motor carrier investigations each year. The goal of these safety programs, administered by the Federal Motor Carrier Safety Administration (FMCSA), is to reduce CMV-involved crashes, fatalities and injuries through consistent, uniform and effective CMV safety programs. The programs seek to identify safety defects, driver deficiencies and unsafe motor carrier practices and remove them from the nation's roadways.

Training is critical to a uniform, effective enforcement program. In addition to the training required initially for every new inspector, each new rule or change to regulations requires additional training to bring enforcement personnel up to date. Each new exemption provided to industry and the various advancements in vehicle technology also require training. Enforcement personnel need to understand the rules they are tasked with enforcing, and training plays a key role in making that possible.

FMCSA administers the Enforcement Training and Support Grant, which Congress created in 2021, to provide for the development and delivery of certification training to state and local CMV inspectors, auditors and investigators. In order to improve the training of state and local enforcement personnel, the Commercial Vehicle Safety Alliance (CVSA) recommends a series of improvements to the administration of the ETS Grant.

### **Inclusion of Instructor Training**

First, CVSA seeks language clarifying that the training offered under the Enforcement Training and Support Grant was intended to include both individuals seeking to be certified as CMV inspectors, auditors and investigators, as well as the instructors who will be delivering the certification training.

Currently, state CMV inspectors, auditors and investigators are used to instruct the certification training delivered under the Enforcement Training and Support Grant. Inspectors who wish to teach must become certified as an

instructor and qualify to teach each specific type of curriculum. However, in the past, FMCSA has limited the Enforcement Training and Support Grant to the development and delivery of certification training to state and local enforcement personnel seeking to become certified as a CMV inspector, auditor and/or investigator. The training and certification of the inspectors, auditors and investigators to become instructors of these courses was excluded. These instructors, who are also state inspectors, auditors and investigators, are a critical part of the training process, and their training should be part of the same program. Clarifying that this grant program should include the state and local inspectors, auditors and investigators who serve as instructors for the certification courses will improve the overall quality of training the instructors are receiving and provide administrative benefits by consolidating all state and local roadside inspector, auditor, investigator and instructor training into one program. This clarification would also align with congressional intent when the program was created in the Infrastructure Investment and Jobs Act. To resolve this, ***CVSA seeks language clarifying that the state and local instructors delivering the certification training to state and local personnel under Enforcement Training and Support Grant should be trained and managed under the grant as well.***

### **Multiyear Grant Cycle**

The Enforcement Training and Support Grant currently operates on an annual award cycle, complicating effective training delivery. First, a single year of funding impacts the grant recipient's ability to implement a comprehensive training program reliably and consistently and limits their ability to plan into the following grant year. For example, if there is a forthcoming change to the safety regulations that affects how inspections are conducted, the grant recipient is unable to prepare for that change if it comes in what would be the next grant award year. Training events that would take place in a future year also cannot be coordinated or planned for, which significantly impacts the grantee's ability to develop and maintain a comprehensive, long-term training program. Most significantly, grant awards may be delayed, which may halt the scheduling of new training courses, impacting the states' ability to train new inspectors.

Additionally, the administrative burden of annually applying for a single year of funding is cumbersome on the grantee as well as the agency. For the grantee, they must apply each year for funds and fulfill other administrative tasks, which takes time away from delivering the certification training. FMCSA, meanwhile, must go through the cumbersome, months-long process of developing and issuing a notice of funding opportunity for the grant every year, then review those applications and make a subsequent award, a process that has recently begun to exceed the traditional 12-month cycle that FMCSA was traditionally able to adhere to, further delaying the start of the subsequent year's awards. This entire administrative process takes time and resources away from FMCSA and its work to improve CMV safety.

To address these challenges and improve the efficacy of the program, ***CVSA supports amending the Enforcement Training and Support Grant to include a multiyear grant cycle.*** Implementing a multiyear grant cycle would provide many benefits to FMCSA, the grant recipient and the inspectors receiving the critical certification training. Much needed stability and continuity would be realized by providing the grant recipient with multiple years to achieve the grant objectives, as well as the opportunity to deliver on longer-term goals and objectives. Additionally, transitioning to a multiyear grant cycle would also reduce the administrative burden of soliciting and awarding the grant program for FMCSA.

### **Single Grant Recipient**

The Enforcement Training and Support Grant provides CMV inspectors, auditors and investigators with the training they need to conduct roadside safety inspections, compliance reviews and safety audits on the motor carrier community, ensuring compliance with federal and state regulations. It is critical that this training be comprehensive, effective and consistent. In order to ensure the quality of the training, the state agencies responsible for motor carrier enforcement programs strongly support limiting the Enforcement Training and Support Grant to one recipient and that the program be delivered only by the organization comprised of state government agencies responsible for the oversight and implementation of CMV enforcement activities. CVSA is the organization responsible for developing and maintaining the North American Standard Inspection (NASI) Program. CVSA's certification standards are identified by the FMCSR in 49 CFR 350.105 as the certification standard to which MCSAP inspectors must adhere for conducting CMV inspections, audits and investigations. As the entity responsible for the certification standard, CVSA is best qualified to deliver the certification training for NASI inspectors, auditors, investigators and instructors. The state agencies responsible for CMV safety inspections comprise CVSA's membership and will ensure the quality of the training program. Identifying CVSA as the entity responsible for this training would provide the jurisdictions with long term stability within this critical training program.

***CVSA's membership, which includes the state agencies responsible for conducting CMV enforcement activities in the states, support ensuring that the activities under the Enforcement Training and Support Grant be delivered only by the organization comprised of state government agencies responsible for the oversight and implementation of CMV enforcement activities.***