Comprehensive Safety Analysis 2010 2007 Public Listening Session

Final Report

September 12, 2008

Prepared for

U.S. Department of Transportation

Federal Motor Carrier Safety Administration

Prepared by

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EXHIBITS

Comprehensive Safety Analysis 2010
2007 Public Listening Session

Executive Summary

The Federal Motor Carrier Safety Administration (FMCSA) held its eighth Comprehensive Safety Analysis 2010 (CSA 2010) public listening session on December 4, 2007 in Arlington, Texas. The purpose of the December 2007 listening session was for FMCSA to brief its stakeholders on the progress made with CSA 2010 since the listening session in 2006 and collect stakeholders' feedback.

The listening session began with a plenary session on the status of CSA 2010. Following this overview presentation, three breakout sessions were held on the topics listed below:

- Topic 1: Operational Model Test (OM Test)
- Topic 2: Safety Fitness Determination (SFD)
- Topic 3: Safety Measurement System (SMS)

A total of 48 participants representing both Federal and State governments, industry, associations, the press, and other private sector firms attended the listening session and each participant had the opportunity to attend all three breakout sessions. A total of 282 comments and questions concerning CSA 2010 were received and documented during the listening session from the 48 participants. Each breakout session topic was led by a facilitator and CSA 2010 Team Leader. As a result, participants were able to have their comments or questions immediately addressed by a CSA 2010 Team Leader during the breakout sessions.

In contrast to previous CSA 2010 breakout sessions where CSA 2010 Team Leaders presented information about the initiative and then facilitators posed specific, pre-determined questions to participants, each 2007 breakout session began with a short presentation about one of the CSA 2010 topics and then the session was open to any participant feedback. As a result, the breakout sessions were guided by participant comments and questions and served as a forum for CSA 2010 Team Leaders to directly address stakeholders and their specific comments or questions.

Key Findings

All of the 282 questions and comments documented during the 2007 listening session were analyzed and categorized. From this data, the following eight topics were chosen as the principal themes of the listening session discussion:

1. Interventions
2. Data Concern
3. SFD Methodology
4. Types of Carriers
5. Drivers
6. Drugs and Alcohol
7. Operational Model Test
8. Other/ Need Clarification

When the OM Test, SFD, and SMS breakout session data were combined, the following three themes were discussed by participants in 72 percent of the comments/questions (203 of 282 comments/questions):

1. Interventions (28 percent)
2. Data Concern (26 percent)
3. SFD Methodology (18 percent)

When reviewing the listening session data by individual breakout session topic, over 50 percent of the comments/questions concerned the key themes listed below by breakout session topic:

Operational Model Test breakout session:

1. Interventions
2. Data Concern

Safety Fitness Determination breakout session:

1. SFD Methodology
2. Data Concern

Safety Measurement System breakout session:

1. Data Concern
2. Interventions

This data suggests that regardless of looking at the breakout session data in its entirety or by individual breakout session topic, listening session participants focused their comments and questions most frequently on issues relating to Interventions, Data Concerns, or SFD Methodology.

The CSA 2010 Listening Session Final Report that follows provides additional information about the 2007 listening session, including further details on the data collection, analysis, and key findings.

1.0 Final Report

The CSA 2010 Listening Session Final Report presents the findings from the 2007 Federal Motor Carrier Safety Administration's listening session in Arlington, Texas on December 4, 2007.

1.1 Introduction & Background

The Federal Motor Carrier Safety Administration (FMCSA) was established as a separate administration within the U.S. Department of Transportation on January 1, 2000, pursuant to the Motor Carrier Safety Improvement Act of 1999. FMCSA's primary mission is to reduce crashes, injuries, and fatalities involving large trucks and buses. FMCSA is headquartered in Washington, DC and employs more than 1,000 individuals, in all 50 States and the District of Columbia, dedicated to improving bus and truck safety and saving lives.

In August 2004, FMCSA embarked on the Comprehensive Safety Analysis 2010 (CSA 2010) - a comprehensive review and analysis of FMCSA's current commercial motor vehicle safety compliance and enforcement programs. The goal of CSA 2010 is the development and deployment of a new operational model - a new approach to using FMCSA resources to identify drivers and operators that pose safety problems and to intervene to address those problems. FMCSA understands how important it is to the success of this initiative to obtain timely feedback from its partners and stakeholders.

The Agency held a series of public listening sessions on CSA 2010 in September and October of 2004. These sessions were designed to collect public input regarding ways FMCSA could improve its process of monitoring and assessing the safety performance of the commercial motor carrier industry. Participants were a cross section of individuals including industry executives, truck and bus drivers, insurance and safety advocacy groups, State and local government officials, and enforcement professionals. FMCSA was encouraged that the majority of participants supported the Agency's goal of improving the current safety analysis process through the CSA 2010 initiative.

During the 2004 listening sessions, the stakeholder community expressed many different opinions regarding the various entities, activities, and environmental factors that contribute to safety. The sessions highlighted that safety indicators can be difficult to identify and measure. Participants also commented on the effectiveness of current processes and offered creative ideas for FMCSA to consider when developing new policies and processes. For example, in almost every listening session, participants suggested using incentives rather than penalties to encourage safe behavior. Participants expressed a strong interest in comprehensive, consistent, relevant, and accurate data that are easily accessible to all. Some participants expressed a willingness to self-disclose data and to help keep safety data current.

In November 2006, FMCSA and the CSA 2010 Team held another public listening. The purpose of the 2006 listening session was to inform the public on the conceptual direction and progress of CSA 2010, and to obtain feedback from its partners and stakeholders. Ninety-two (92) participants attended the 2006 Listening Session, yielding 611 responses. Participants came

from Federal agencies, State governments, associations, and the private sector to discuss five main areas: Measurement, Safety Fitness Determination, Intervention Selection and Entity Characteristics, Safety Data and Validation, and the Operational Model.

Because FMCSA recognizes the importance of continuous stakeholder involvement in the development of the new operational model, FMCSA held another public listening session on December 4, 2007 in Arlington, Texas. The exhibit below gives a brief comparison of the 2006 and 2007 listening sessions.

Exhibit 1.1
Comparison of 2006 and 2007 Listening Sessions

	2006 Listening Session	2007 Listening Session
Date	November 16, 2006	December 4, 2007
Location	Washington D.C.	Arlington, TX
Number of Participants	92	48
Topics	5 Topics (aligned with Operational Model): • Measurement • Safety Fitness Determination • Intervention Selection and Entity Characteristics • Safety Data and Validation • Operational Model	3 Topics: • Operational Model Test • Safety Measurement System • Safety Fitness Determination
Format	1) **CSA 2010 Team Members** asked pre-determined questions for each topic. 2) **Participants** answered with comments or suggestions.	1) **CSA 2010 Team Members** delivered presentation for each topic. 2) **Participants** asked questions (while providing comments/suggestions). 3) **CSA 2010 Team Members** answered participant questions.
Data	611 Participant Answers/Comments	282 Participant Questions/Comments
Popular Themes	16 Themes	8 Themes

The purpose of the December 2007 public listening session was for FMCSA to brief its stakeholders and partners on the progress that has been made since the listening session in 2006 and collect their feedback. [See Appendix A for the Federal Register Notice.] FMCSA plans to hold additional CSA 2010 listening sessions to continue the process of updating its partners and stakeholders and receive feedback.

Remarks by the FMCSA Assistant Administrator and Chief Safety Officer, and a presentation by the CSA 2010 Assistant Program Manager, describing the progress to-date and design of the CSA 2010 operational model, were also included in the CSA 2010 Listening Session. [See Appendix B for the Plenary Session Presentation.]

The plenary session presentation was followed by facilitated breakout sessions attended by all participants on the following three topics:

- Topic 1: Operational Model Test (OM Test)
- Topic 2: Safety Fitness Determination (SFD)
- Topic 3: Safety Measurement System (SMS)

During each of these breakout sessions, a CSA 2010 Team Leader presented on a specific topic and then fielded questions or comments about the topic from the participants. [See Appendix C for the breakout session presentations.]

The 2007 listening session was attended by 48 participants, who submitted a total of 282 comments or questions. [See Appendix D for the listening session participant list.] Exhibit 1.2 shows the number of participants in each of the following participant categories: Federal Agencies, State government, motor carrier industry, associations, other private sector, and the press.

Exhibit 1.2
Number of Participants by Category

Category	Participants
Industry	26
Other Private Sector	9
Associations	6
Federal Agencies	4
Press	2
State Governments	1
TOTAL	**48**

All participants were able to attend all breakout sessions and were provided the opportunity to post comments to the docket according to the instructions in the Federal Register Notice. Currently, only one public docket comment has been received. [See Appendix E for the Docket Comment.] The Agency appreciates all input received from the listening sessions, which will feed into the continued development of the CSA 2010 initiative.

1.2 Data Collection and Development of Themes

As breakout sessions commenced, participant questions and comments were recorded. After the 2007 listening session concluded, all of these questions, comments, and responses were aggregated into one database and numerically coded based on the topic of the breakout session and the order of the response. This coding allowed the facilitators to sort and analyze the comments, as well as to trace a specific question back to a specific topic/breakout session and in the order in which participants made the comments. Because of the progress made during the past year in the development of the CSA 2010 system, this year's listening session provided topics (OM Test, SFD, SMS) that overlapped more than in previous years.

To begin, a list of the most common similarities (themes) was developed based on a robust analysis of the breakout session topics – both *within each topic* (OM Test, SFD, and SMS) and *across all three topics.* The facilitators and note-takers then validated these themes to ensure key ideas were captured.

Next, a description was developed for each theme. These descriptions were developed as a way to describe the many responses collected across topics. These descriptions are not an attempt to summarize the comments; rather, they attempt to help provide a more concise perspective of the issues contained in the range of comments within a theme. A brief summary description of the types of comments or questions that were categorized into a particular theme is presented below. [See Appendix F for a description of the discussion topics categorized under each theme, and a selection of participant comments/questions that represent the theme.]

- **Data Concern**. Participant comments/questions centered on concerns about bad data or data inconsistencies. Other comments focused on data access; in particular, those who will have access to the data, as well as tracking driver data especially when a driver changes jobs.

- **Drivers**. Whether drivers will be rated, how they will be rated, and how the driver data will be used. Other discussion topics included comments/questions about the issue of non-English speaking drivers, and how carriers can use driver data.

- **Drugs and Alcohol**. Participant comments/questions focused on how the issue of drugs and alcohol will be handled with CSA 2010. Other questions considered how a drug or alcohol determination could contribute to another failed Behavioral Analysis and Safety Improvement Category (BASIC).

- **Interventions**. Participant intervention comments/questions centered on understanding the different investigations (onsite versus offsite) as well as the corrective actions to be offered to a carrier (i.e., Warning Letter, Cooperative Safety plan, Notice of Violation, etc.). Other questions focused on the differences between current Compliance Reviews and CSA 2010 investigations.

- **Operational Model (OM) Test**. Comments/questions about the OM test focused on which States are in the OM test, when it will occur, and what were the details of the test. Additional questions centered on the roll-out of CSA 2010 and when the program becomes applicable to other States. Participants indicated they wished to stay informed about the test results.

- **Safety Fitness Determination (SFD) Methodology**. Listening Session participant comments/questions focused on the meaning of different violations. Their comments/questions also focused on understanding the specific differences between stand-alone (i.e., fatigue, unsafe driving) versus non-stand alone BASICs.

- **Types of Carriers**. Comments/questions categorized under this theme related to discussions about whether different types of carriers should require different treatment (i.e., HazMat, motorcoaches, etc.) in addition to comments/questions on carrier size, location, commodity, and experience.

- **Other/Need Clarification**. Miscellaneous questions or facts that did not coincide with other established themes. Less than 10 comments/questions were grouped in this category.

The next sections explain in detail some of the important findings of the data analysis.

1.3 Key Findings

The findings from the listening session's data analysis are presented in two perspectives: 1) comments/questions analyzed collectively across all three breakout session topics, and 2) comments/questions within each individual topic.

The first perspective emerges from analysis of participant comments *across topics* (i.e., looking at the comments/questions of all three topics together) and provides a holistic perspective that can help to understand the overall concerns, issues or ideas about CSA 2010 as a system. In analyzing the data from this overall perspective, it is possible to "hear" the participants collectively.

The second perspective looks at the analysis of participant comments *within-topic* (i.e., looking at the comments/questions within each of the individual topics - OM Test, SFD, or SMS) and provides a sense of what was expressed relative to the specific topic.

Both perspectives are described in more detail in sections 1.3.1 and 1.3.2.

1.3.1 Perspective 1: Across All Breakout Sessions/Topics

More important than analyzing comments/questions within topics, is to analyze these comments/questions across topics (i.e., looking at the OM Test, SFD, and SMS breakout session responses together). This provides a holistic view of the public's perception of CSA 2010 – both the strengths and challenges – as well as what the CSA 2010 Team should focus on in the process of moving forward.

Perspective 1: Across Topics

- Useful for understanding the major overall concerns of participants.
- Provides a more quantitative basis for decision-making.

Exhibit 1.3 on the following page lists the themes ranked by the frequency of responses. It shows the number and percentage of total responses across all topics by theme. This data describes the most popular themes regardless of topic.

Exhibit 1.3
Themes - Across All Three Topics

Popular Themes	# of Total Comments/Questions	% of Total Comments/Questions
Interventions	79	28%
Data Concern	74	26%
SFD Methodology	50	18%
Types of Carriers	23	8%
Drivers	21	7%
Drugs & Alcohol	14	5%
OM Test	14	5%
Other/Clarification	7	2%
TOTAL	**282**	**100%**

Across all three topics, the total number of questions/comments received during the 2007 Public Listening Session was 282. Of these, the comments/questions primarily centered around **Interventions** (28 percent of the total comments/questions), **Data Concerns** (26 percent of the total comments/questions), and **SFD Methodology** (18 percent of the total comments). Together, these three topics make up for 72 percent of the total comments/questions raised at the public listening session. These are the most common themes of the entire listening session and those that participants discussed most frequently. For details about what defines these categories and what comments/questions are contained in these themes, refer to the definition of each theme in Section 1.2 of this report, or Appendix F, which contains an overview of the data collected at this listening session.

Viewing this data across topics (Perspective 1) could suggest that:

- ☑ More focus is needed during the Operational Model Test on refining the system concerning Interventions, Data Concerns, & the SFD Methodology (to ensure fears are addressed and new suggestions are considered).
- ☑ More frequent communication to the public is needed about Interventions, Data Concerns, and SFD Methodology.

1.3.2 Perspective 2: Within Each Breakout Session/Topic

As mentioned, the listening session was divided into three breakout sessions – each associated with one of the designated topics from the Federal Register Notice:

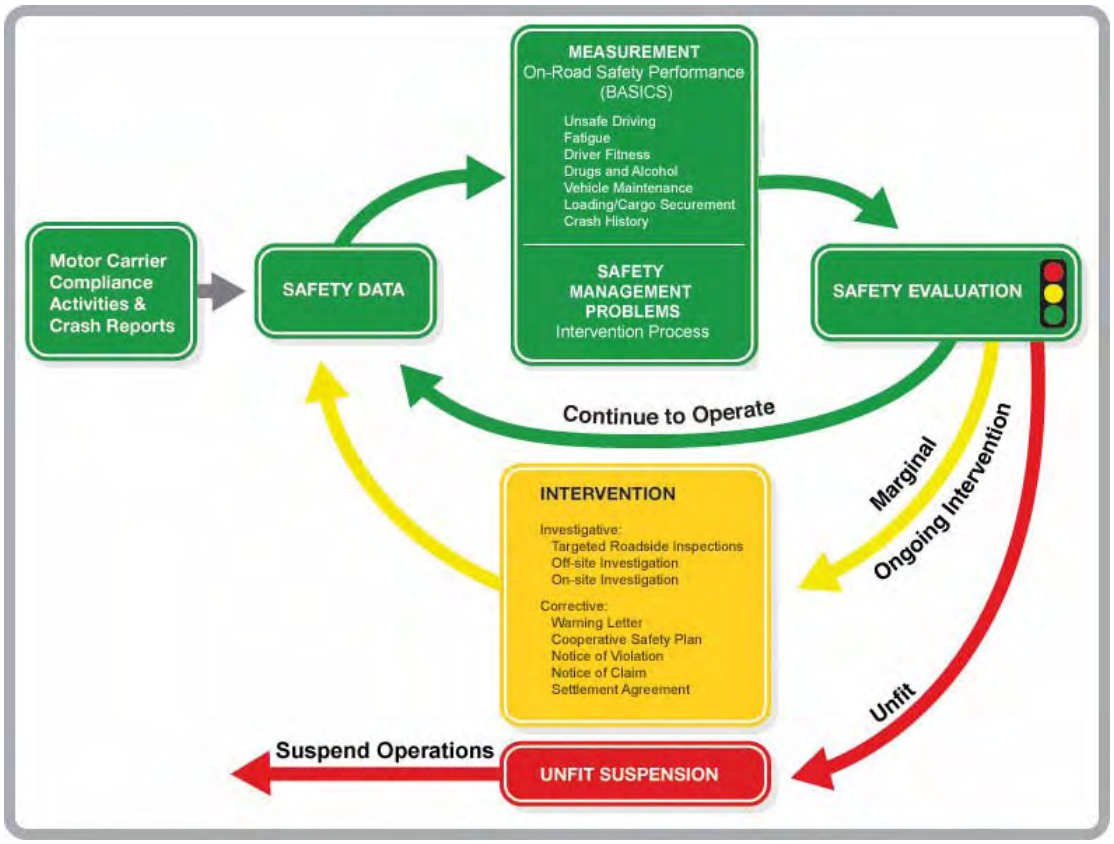
- Topic 1: Operational Model Test (OM Test)
- Topic 2: Safety Fitness Determination (SFD)
- Topic 3: Safety Measurement System (SMS)

These topics were specifically related to individual elements of CSA 2010. Exhibit 1.4 is a depiction of the CSA 2010 Operational Model as of the date of the listening session.

Perspective 2: Within-Topic

- Helps understand the finest level of detail about a specific topic.
- Provides the CSA 2010 Team with specific comments to consider during development and testing.

Exhibit 1.4
CSA 2010 Operational Model



Each breakout session topic focused on different aspects of the Operational Model; however, within each separate topic, some of the same themes were discussed more frequently than others. Exhibit 1.5 shows the breakdown of comments/questions by themes within each of the three breakout session topics.

Exhibit 1.5
Themes – Within Each Topic

Popular Themes	Safety Fitness Determination (# of questions/ comments)	Safety Measurement System (# of questions/ comments)	Operational Model Test (# of questions/ comments)
Data Concern	21	36	17
Drivers	6	9	6
Drugs & Alcohol	4	5	5
Interventions	5	18	56
OM Test	4	1	9
SFD Methodology	29	11	10
Types of Carriers	6	8	9
Other/Clarification	3	2	2
TOTAL =	**78**	**90**	**114**

The greatest number of comments/questions received occurred during the Operational Model Test breakout session (114 total comments/questions), followed by Safety Measurement (90 total comments/questions), and Safety Fitness Determination (78 total comments/questions).

Within each topic, there were significant questions, comments, or discussion among certain themes. For example, within **Safety Fitness Determination**, 50 percent of the comments dealt with the either the SFD Methodology or Data Concerns. Within this SFD breakout session, the comments and questions addressed the following issues:

- **SFD Methodology**. In general, participant comments/questions focused on understanding the meaning of the violations and how the ratings were determined. Many of these discussions also centered on understanding an "Unfit" rating.

- **Data Concern.** In the SFD session, the Data Concern comments and questions centered on how data will affect a carrier's SFD rating and how the data can be used (by FMCSA, the public, etc.).

In the **Safety Measurement System** session, over 50 percent of the comments/questions addressed Data Concerns or Interventions. Within this SMS breakout session, the main points for each of these two themes were as follows:

- **Data Concern**. Participant Data Concern comments/questions were the primary theme in the SMS breakout session. Many comments/questions focused on the collection of data, its validity, and how the data can be appealed via the Data Q's (FMCSA's online appeal process).

- **Interventions**. In the SMS session, the Interventions comments/questions centered on the consequences of specific citations (i.e., speeding). Other comments/questions were inquiries about how Interventions affect the Driver Safety Measurement System.

In the **Operational Model Test** discussion, close to 50 percent of the comments/questions were about Interventions, while another 15 percent involved Data Concern discussions. Within the Operational Model Test breakout session, the main concerns for each of these themes were as follows:

- **Interventions**. In the OM Test session, the discussions regarding Interventions were specific comments/opinions about the different Interventions (i.e., Warning Letter, Cooperative Safety Plan, Notice of Violation, etc.).

- **Data Concerns**. Participant comments/questions centered on concerns about bad data or data inconsistencies. Other comments focused on carrier and driver data tracking.

The Exhibits (1.6, 1.7, and 1.8) on the following two pages depict the themes by topic as a graphical view of participant comments/questions made during the 2007 Listening Session.

Exhibit 1.6
Themes Within Topic – SFD

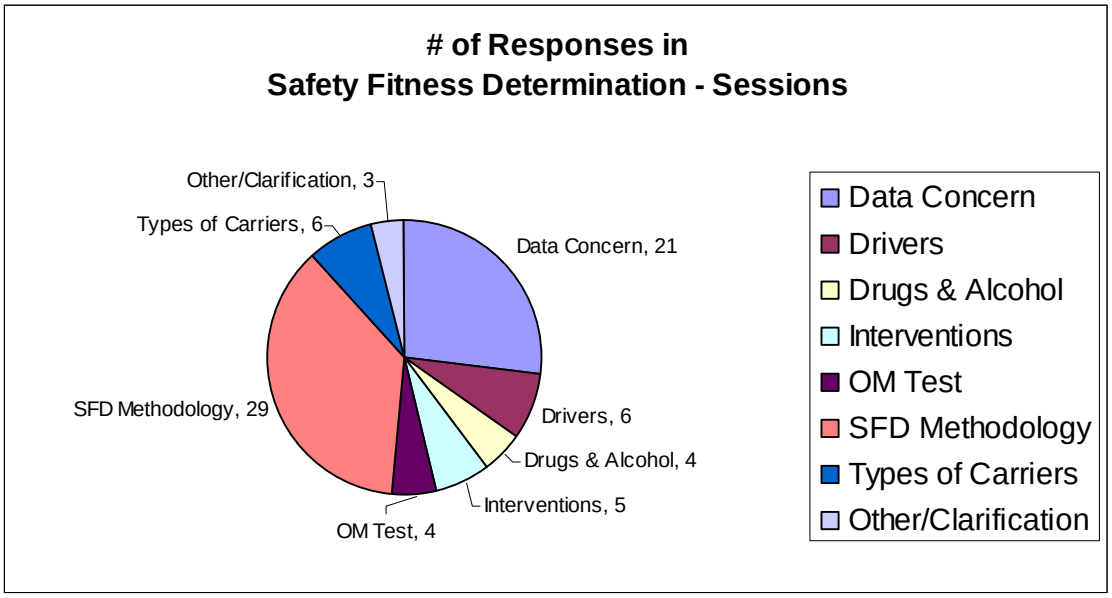


Exhibit 1.7
Themes Within Topic – SMS

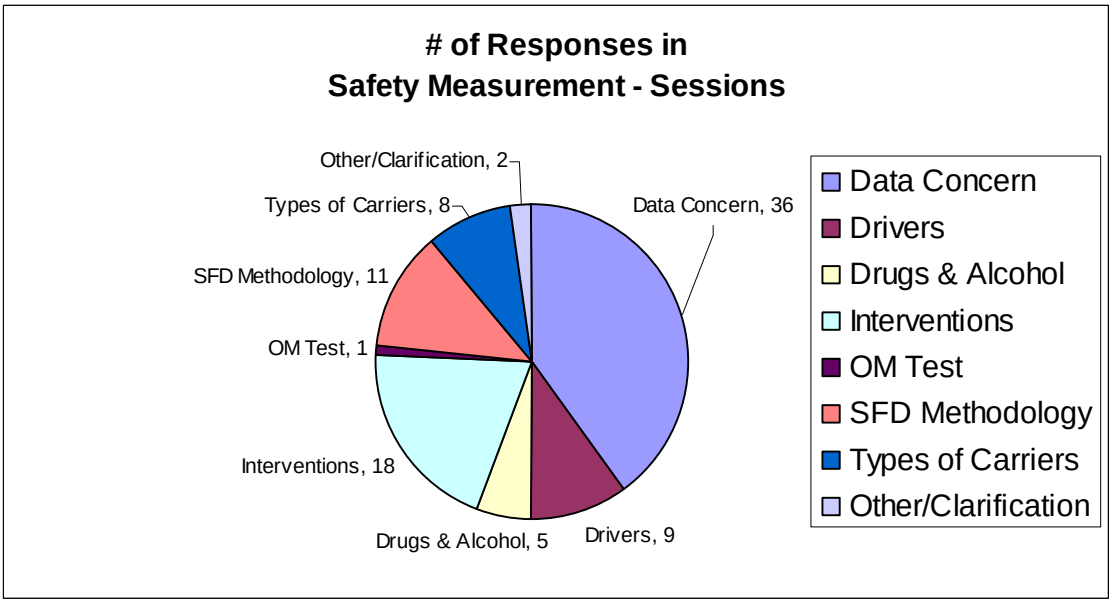
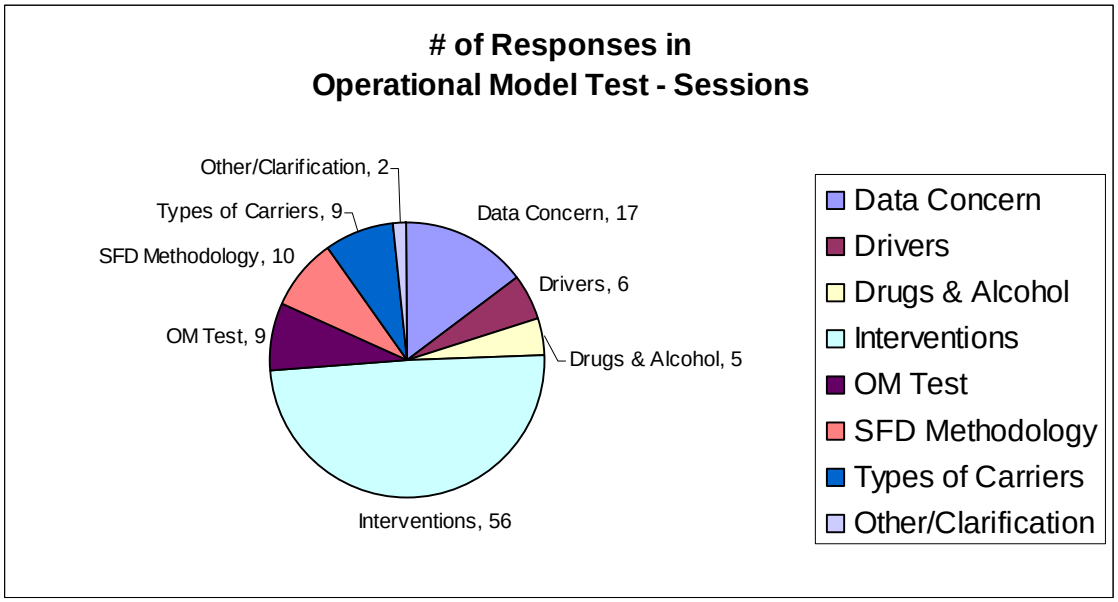


Exhibit 1.8
Themes Within Topic – OM Test



1.4 Docket Comments & Associated Themes

In addition to the data received during the breakout sessions, the Docket Comments, listed in Appendix E, include comments officially submitted through the DOT Docket Management System. Listed below are the docket submissions and their associated themes. Currently, only one docket comment has been received.

From National Ready Mixed Concrete Association (NRMCA), the comment was:

> *"The NRMCA is pleased to see the DOT apply metrics driven data to support enforcement activities. The NRMCA views the progressive intervention process as a positive step forward. NRMCA also likes the fact that by using these metrics a company is given a warning letter when it appears they are straying from the path of safe operations. This gives the company a chance to self correct their operations before it is too late."*

The full Docket Comment can be found in Appendix E.

2.0 APPENDICES

A. **Federal Register Notice**

B. **Plenary Session Presentations**

C. **Breakout Session Presentations**

D. **List of Participants**

E. **Docket Comments**

F. **Themes of Participant Comments/Questions**

G. **Listening Session Program**

Appendix A

Federal Register Notice

Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590.

• *Fax:* Fax comments to the Docket Management Facility at 202–493–2251.

• *Hand Delivery:* Bring comments to the Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy: We will post all comments we receive to *http://www.regulations.gov* in their entirety, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, or labor union).

Docket: To read the entire petition for exemption, background documents, or comments received, go to *http://www.regulations.gov* or to the Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Madeleine Kolb, Transport Airplane Directorate, FAA at 425–227–1134.

This notice is published pursuant to 14 CFR 11.85.

Pamela Hamilton-Powell,

Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2007–0042.

Petitioner: The Boeing Company.

Section of 14 CFR Affected: §§ 25.305, 25.307(a), 25.601, 25.603(c), 25.613(a)(b), and 25.1103(d).

Description of relief sought: The exemption, if granted, would affect Boeing 737NG airplanes delivered prior to May 2007 and would permit installation of a new engine configuration, improved thrust reverser cascade configuration, or other changes without requiring a complete finding of compliance for the affected areas.

[FR Doc. E7–21621 Filed 11–1–07; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Cook and DuPage Counties, Illinois

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that a Tier One Environmental Impact Statement will be prepared for the Elgin O'Hare–West Bypass study in Cook and DuPage Counties, Illinois.

FOR FURTHER INFORMATION CONTACT: Norman R. Stoner, P.E., Division Administrator, Federal Highway Administration, 3250 Executive Park Drive, Springfield, Illinois 62703, Phone: (217) 492–4600. Diane M. O'Keefe, P.E., Deputy Director of Highways, Region One Engineer, Illinois Department of Transportation, 201 West Center Court, Schaumburg, Illinois 60196, Phone: (847) 705–4000.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Illinois Department of Transportation (IDOT), will prepare a Tier One Environmental Impact Statement (EIS) for the Elgin O'Hare–West Bypass study. The study area for the EIS is generally bounded by I–90, I–294, and I–290. The Tier One EIS will complete a broad analysis of transportation system alternative(s) in the study area and evaluate the environmental impacts at a planning level of detail using a Geographic Information System (GIS).

The primary environmental resources that may be affected are: Residential, commercial, and industrial properties; streams and floodplains; wetlands; and open space. This project is being developed using the Illinois Department of Transportation's Context Sensitive Solutions policy. Alternatives to be evaluated will include (1) taking no action; (2) transit improvements; (3) improvements to local roads; (4) a complete system of improvements including limited access highways on existing and new location, transit, transportation system management strategies, and bicycle and pedestrian facilities.

As part of the EIS process, a scoping meeting for obtaining input from Resource Agencies on level of detail and methodologies to be addressed in the Environmental Impact Statement will be held in December 2007. Additional coordination will occur with the Resource Agencies to identify a date and location for the scoping meeting.

A Stakeholder Involvement Plan (SIP), which will meet the SAFETEA–LU Coordination Plan requirements, will be developed to ensure that a full range of issues related to this proposed project are identified and addressed. The SIP provides meaningful opportunities for all stakeholders to participate in defining transportation issues and solutions for the study area. A project Web site has been established (*http://www.elginohare-westbypass.org*) as one element of the project public involvement program.

Comments or questions concerning this proposed action and the Tier One EIS are invited from all interested parties and should be directed to the FHWA at the address provided above. A public hearing will be held after the Tier One draft EIS is published and made available for public and agency review. Public notice will be given of the time and place of public meetings and hearings.

The Tier One EIS will conclude with a Record of Decision selecting a preferred transportation system alternative(s). Following the Tier One EIS, projects with independent utility may be advanced to Tier Two NEPA documents that will focus on detailed environmental analyses.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program)

Issued on: October 29, 2007.

Norman R. Stoner,

P.E., Division Administrator, Springfield, Illinois.

[FR Doc. 07–5450 Filed 11–1–07; 8:45 am]

BILLING CODE 4910–22–M

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2004–18898]

Comprehensive Safety Analysis 2010 Initiative

AGENCY: Federal Motor Carrier Safety Administration, DOT.

ACTION: Notice of public listening session.

SUMMARY: The Federal Motor Carrier Safety Administration (FMCSA) announces a public listening session to obtain feedback from interested parties on the Agency's Comprehensive Safety Analysis 2010 (CSA 2010) initiative, a comprehensive review, analysis, and

restructuring of FMCSA's current commercial motor carrier safety and enforcement programs. FMCSA will use the listening session to brief participants on the direction and progress of CSA 2010, and obtain feedback from its partners and stakeholders. FMCSA also requests comments on the CSA 2010 operational model described in this notice.

DATES: The Public Listening Session will be held on December 4, 2007, from 8 a.m. to 3:30 p.m. Participant registration will be from 8 a.m. to 9 a.m. Written comments must be received by January 31, 2008.

Location: The Public Listening Session will be held near Dallas at the Sheraton Arlington Hotel, 1500 Convention Center Drive, Arlington, Texas 76011. The phone number is 817–261–8200.

ADDRESSES: You may submit comments identified by FDMS Docket ID Number FMCSA–2004–18898 and by any of the following methods:

Federal eRulemaking Portal: Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.

Alternatively, you can file comments using the following methods:

Mail: Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Room W12–140, Washington, DC 20590.

Hand Delivery or Courier: West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

Fax: 202–493–2251.

FOR FURTHER INFORMATION CONTACT: Cathy McNair, Program Manager Assistant, CSA 2010, (202) 366–0790.

SUPPLEMENTARY INFORMATION: *Format of Listening Session:* During the Public Listening Session, FMCSA will describe its progress on CSA 2010 to date. FMCSA will accept comments on the CSA 2010 operational model and any additional information FMCSA should consider for the success of the CSA 2010 initiative.

The session will include a morning plenary session (9 a.m.), and three facilitated breakout sessions. Each breakout session will be run three consecutive times so that all attendees will have the opportunity to participate in all three sessions. Each session will run for 90 minutes, beginning at 10:15 a.m., 12:15 p.m., and 2 p.m. This will allow 15 minutes between each breakout session and 30 minutes for lunch. The three breakout sessions will address specific aspects of the CSA 2010 initiative: (1) Safety Measurement System, (2) Safety Fitness Determination, and (3) Operational Model Test. Attendees will have the opportunity to comment, as well as hear the comments of other stakeholders.

Registration information and instructions: To attend the listening session, attendees can register online at *http://www.fmcsa.dot.gov/csa2010–register.* In addition to registration information, the registration Web site provides additional details about the agenda. If there are any questions, or if an attendee prefers to register via telephone, please contact the registration help desk at (301) 495–8458.

Instructions for submitting written comments: Comments regarding CSA 2010 can be filed with the Federal Docket Management System (FDMS). For detailed instructions on submitting comments see **ADDRESSES** section above. All submissions must include the Agency name and docket identification number for this notice. Note that all comments received will be posted to *http://www.regulations.gov,* including any personal information provided. Please see the Privacy Act heading for further information.

Docket: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov.* Follow the online instructions for accessing the dockets.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477; Apr. 11, 2000).

Background

In August 2004, FMCSA embarked on CSA 2010—a comprehensive review and analysis of the FMCSA motor vehicle safety compliance and enforcement programs (69 FR 51748, August 20, 2004). The goal of CSA 2010 is the development and deployment of a new operational model, a new approach to using FMCSA resources to identify drivers and motor carriers that pose safety problems and to intervene to address those problems as soon as they become apparent. FMCSA understands how important it is to the success of this initiative to obtain feedback from its partners and stakeholders and other interested parties.

The Agency held a series of public listening sessions on CSA 2010 in September and October of 2004. These sessions were designed to collect public input regarding ways FMCSA could improve its process of monitoring and assessing the safety performance of the motor carrier industry. The majority of participants supported the Agency's goal of improving the current safety fitness determination process through the CSA 2010 initiative. For further information on the public listening sessions held in 2004, visit the FMCSA Web site at *http://www.fmcsa.dot.gov/* (click on the CSA2010 link) and see the final report, ''Comprehensive Safety Analysis Listening Sessions.''

On November 16, 2006, FMCSA held another listening session to gather information and feedback on CSA 2010 from its partners and stakeholders (71 FR 61131, October 17, 2006). The session was held in Washington, DC, with close to 100 attendees that included a cross-section of Federal, state, and local government agencies, motor carriers, industry associations, insurance and consulting firms, and safety advocacy groups. The event included a plenary session and four breakout sessions, which described four major aspects of CSA 2010: (1) Measurement, (2) Safety Fitness Determination, (3) Intervention Selection and Entity Characteristics, and (4) Safety Data and Tracking, Evaluation and Data Validation. Participants at each of the breakout sessions provided valuable information, which FMCSA has taken into account during its continued development of the CSA 2010 operational model. For further information on the public listening sessions held in 2006, visit FDMS Docket Identification Number FMCSA–2004–18898 at *http://www.regulations.gov* and see the final report, ''Comprehensive Safety Analysis 2010, 2006 Listening Session.''

The purpose of the December 2007 public listening session is for FMCSA to brief its stakeholders and partners on the progress that has been made since the listening session in 2006. FMCSA plans to hold additional CSA 2010 listening sessions to continue the process of updating its partners and stakeholders and receive feedback.

Current Operational Model and Its Limitations

FMCSA currently collects several kinds of data on motor carriers, including Federal and state information on crashes and roadside inspections, and enforcement actions. FMCSA uses the data to (1) determine which motor carriers should be selected for on-site compliance reviews, and (2) determine the safety fitness of motor carriers. Currently FMCSA employs SafeStat, an

analytical process that evaluates the safety status of individual motor carriers. SafeStat uses data from a variety of state and Federal sources to measure the relative safety performance and compliance of individual motor carriers in four Safety Evaluation Areas (SEAs): Accident, Driver, Vehicle, and Safety Management. SafeStat is currently used by the FMCSA to identify and prioritize motor carriers for on-site compliance reviews (CRs) and roadside inspections. For a full description of the SafeStat methodology, visit the FMCSA Web site at: *http://ai.fmcsa.dot.gov.*

FMCSA issues a safety fitness determination and a corresponding safety rating as a result of an on-site compliance review (CR). The CR assesses whether a motor carrier's safety management controls are functioning effectively to ensure acceptable compliance with the safety fitness standard found at 49 CFR 385.5. Currently, the safety ratings that can result from a CR are Satisfactory, Conditional, or Unsatisfactory. FMCSA may take enforcement actions against a motor carrier as a result of the CR. A significant limitation of this process is that a motor carrier's safety rating generally cannot change without the conduct of an additional compliance review. As a result, the meaning of a motor carrier's safety rating in terms of being a current assessment of its safety diminishes over time and may be misleading to those that might incorrectly interpret it as a reflection of a motor carrier's current safety status.

FMCSA compliance and safety programs improve and promote safety performance. However, despite increases in the motor carrier population, as well as increased programmatic responsibilities, Agency resources available for these efforts have remained relatively constant over time. Further compounding this limitation in the current process is the fact that the full CR is generally deployed at a carrier's place of business as a one-size-fits-all tool to address what may not be a comprehensive safety problem. In its present structure, the FMCSA compliance review program is resource intensive and reaches only a small percentage of motor carriers. On-site CRs take one safety investigator an average of 3 to 4 days to complete, and are used to determine a motor carrier's safety fitness. At present staffing levels, FMCSA can perform CRs on only a small portion of the 700,000 active interstate motor carriers. These factors have made it increasingly challenging to make sustained improvements to motor carrier safety using existing intervention programs and measurement systems. Moreover, in recent years the decline in the rate of large truck and bus fatalities per 100 million vehicle miles traveled has leveled off.

For these reasons, along with improvements in the quality of data available to FMCSA and improved ways to measure carrier safety, FMCSA is exploring ways through CSA 2010 to improve its current process for monitoring, assessing, and enforcing the safety performance of motor carriers and drivers. The Agency believes that CSA 2010 has the potential to achieve a greater reduction in large truck and bus crashes, and that additional Agency resources would impact this potential crash reduction even more.

Comprehensive Safety Analysis 2010

CSA 2010 is a major FMCSA initiative to improve the effectiveness of the Agency's compliance and enforcement programs. Its ultimate goal is to achieve a greater reduction in large truck and bus crashes, injuries, and fatalities, while making efficient use of the resources of FMCSA and its state partners. In contrast to the Agency's current operational model, CSA 2010 is characterized by (1) a more comprehensive measurement system, (2) a safety fitness determination methodology that is based on performance data and not necessarily tied to an on-site compliance review, and (3) a broader array of progressive interventions. FMCSA believes that CSA 2010 will help the Agency assess the safety performance of a greater segment of the industry and intervene with more carriers to change unsafe behavior earlier.

FMCSA has made significant progress in its development of the CSA 2010 operational model, and is planning on launching a field test of the model beginning in January 2008. There are four major components to CSA 2010: (1) Measurement, (2) Interventions, (3) Safety Fitness Determination, and (4) Information Technology. Each component and its status are described below. While the Agency requests comments on all aspects of the CSA 2010 operational model, there are three specific areas that will be the subjects of the breakout sessions during the upcoming listening session: (1) Safety Measurement System, (2) Safety Fitness Determination, and (3) Operational Model Test. The illustration below demonstrates how the major components of CSA 2010 would work together. In developing the new model FMCSA continues to strive for flexibility, efficiency, effectiveness, innovation, and equity.

CSA 2010 Operational Model

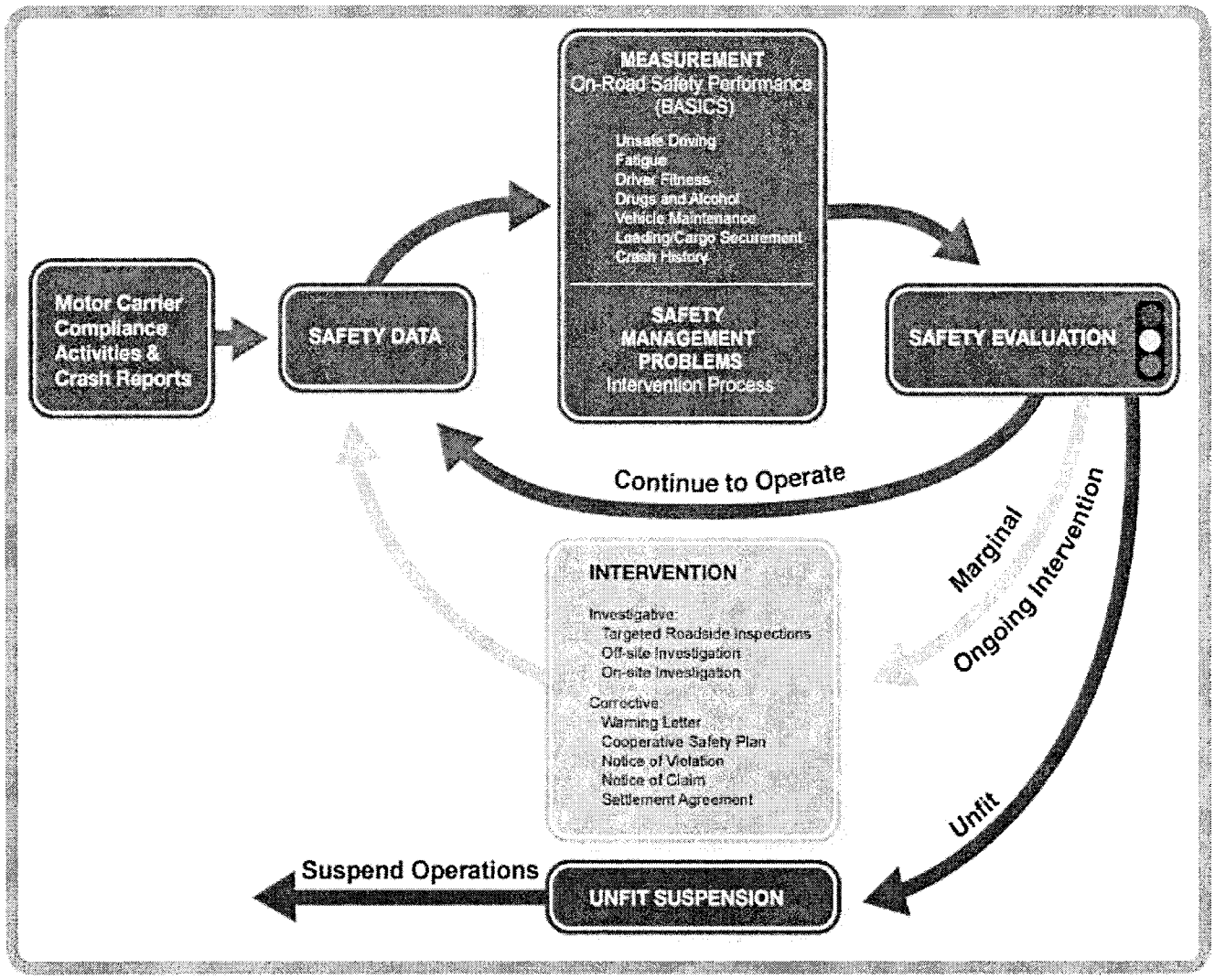


Figure 1

Safety Measurement System—The role of the Safety Measurement System (SMS) within the CSA 2010 operational model is to monitor and quantify the safety performance of motor carriers and drivers through data available in the Motor Carrier Management Information System (MCMIS). Under CSA 2010 these data would include violations found during roadside inspections, traffic enforcement, and the intervention process (discussed below), as well as crashes. SMS would group data into seven Behavioral Analysis Safety Improvement Categories (BASICs), each of which includes regulatory requirements for both motor carriers and drivers.

Unsafe Driving—The operation of commercial motor vehicles in a dangerous or careless manner. Example violations include speeding, reckless driving, improper lane change, and inattention.

Fatigued Driving—The operation of commercial motor vehicles by drivers in non-compliance with the hours-of-service (HOS) regulations. This BASIC focuses on violations of the HOS regulations including violations of driving time limits, driving after reaching on-duty time limits, and failure to maintain complete and accurate log books. This BASIC is not intended to suggest that the Agency has determined that the driver was actually fatigued. Also, instances related to the Fatigued Driving BASIC are distinguished from incidents where unconsciousness or inability to react is brought about by the use of alcohol, drugs, or other controlled substances.

Driver Fitness—The operation of commercial motor vehicles (CMV) by drivers who are unfit to operate a CMV due to lack of training or medical qualifications. Example violations include failure to have a valid and appropriate commercial driver's license and being medically unqualified to operate a CMV.

Controlled Substances and Alcohol—The operation of CMVs by drivers who are in possession of alcohol or illegal drugs, or impaired due to alcohol, illegal drugs, or misuse of prescription or over-the-counter medications. Example violations include the use or possession of controlled substances or alcohol.

Vehicle Maintenance—Commercial motor vehicle failure due to improper or inadequate maintenance. Example violations include brakes, lights, and other mechanical defects, and failure to make required repairs.

Improper Loading/Cargo Securement—CMV incidents resulting from shifting loads, spilled or dropped cargo, and unsafe handling of hazardous materials. Example violations include improper load securement, cargo retention, and hazardous material handling.

Crash—Histories or patterns of crash involvement, including frequency and severity. It is based on information from state-reported crashes.

FMCSA developed the BASICs under the premise that CMV crashes can ultimately be traced to the behavior of motor carriers and drivers. The categories are derived from the existing FMCSA regulatory structure, the Large Truck Crash Causation Study, and other analyses and studies conducted by the Agency.

Four principal steps would be used to assess entity (motor carrier or driver) performance in each BASIC. First, relevant inspection, violation, and crash data from the Motor Carrier Management Information System would be attributed to an entity to create a safety event history. Second, each entity's violations and crashes would be classified into a BASIC. Third, these data would then be time weighted, severity weighted, normalized, and peer grouped to form a quantifiable measure for the entity in each BASIC. In addition, the Safety Measurement System would employ data sufficiency standards to ensure there are enough data to produce meaningful measures of safety performance. Finally, based on a comparison of each entity's BASIC measure to those of its peers, a rank and percentile would be assigned. The motor carrier's score in each BASIC would be based on data from the past 24-months. These steps are illustrated below in Figure 2.

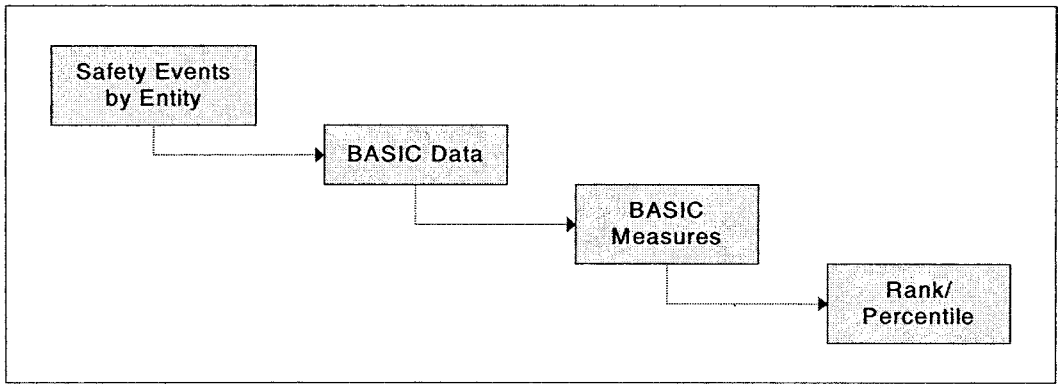


Figure 2

FMCSA anticipates using the SMS results in CSA 2010 to identify and monitor entities with safety problems with respect to its BASICs for inclusion in the intervention process (described below under Interventions). Also, in cases where the SMS results are robust enough to indicate strong crash risk to the public, FMCSA anticipates applying these results along with other factors that could lead to a proposed Unfit safety fitness determination (described below under Safety Fitness Determination). Thus, FMCSA would establish thresholds for each BASIC to trigger the intervention process and play a role in adverse safety fitness determinations.

FMCSA is designing two Safety Measurement Systems—one for carriers, Carrier Safety Measurement System (CSMS), and one for drivers, Driver Safety Measurement System (DSMS). Both systems are in the prototype stage and will be used to support the operational model test discussed below. FMCSA plans to demonstrate the Safety Measurement System during the upcoming listening session.

There are six important differences between the SMS and the Agency's current measurement system, SafeStat:

1. SMS is organized by seven specific behaviors (BASICs) while SafeStat is organized into four general Safety Evaluation Areas (SEAs).
2. SMS identifies safety problems in the same structure in which CSA 2010 addresses those problems, while SafeStat prioritizes carriers for a one-size-fits-all compliance review.
3. SMS uses all safety-based inspection violations while SafeStat uses only out-of-service violations and selected moving violations.
4. SMS uses risk-based violation weightings while SafeStat does not.
5. SMS impacts the safety fitness determination of an entity, while SafeStat has no impact on an entity's safety fitness rating.
6. SMS assesses individual drivers and carriers, while SafeStat assesses only carriers.

Interventions—Over the past year FMCSA has made considerable progress in developing the system of interventions that would be used under CSA 2010. It provides a broad array of tools that would be used in a systematic way to intervene with a carrier and its drivers, depending on the BASIC measures identified by the Safety Measurement System. The interventions are designed to be progressive, increasing in severity and interaction with motor carriers and their drivers. The goal is to use the interventions to reach a larger segment of the motor carrier industry, and to change unsafe behavior early:

Warning Letter—The warning letter would be sent to a motor carrier when its safety performance data exceeds the Safety Measurement System threshold for intervention in one or more BASICs. The letter would advise the motor carrier of the apparent safety problems, and the potential consequences of continued operation in that way. It would also refer the motor carrier to Web-based educational tools and information for self improvement, and the letter would provide the motor carrier with instructions on how to challenge the underlying safety data if the motor carrier believes the data is in error.

Targeted Roadside Inspection—The warning letter would also trigger targeted roadside inspection. The same information on deficient BASICs described in the warning letter would be reflected in roadside information software used by roadside inspectors. This would enable them to monitor the status of those safety problems with that motor carrier, and confirm their existence or correction. This would also help improve the overall effectiveness of roadside inspections.

Off-Site Investigation—The off-site investigation would enable FMCSA and its state partners to evaluate safety problems without the cost of sending enforcement officials to a motor carrier's place of business. It would involve requests for documentation from the carrier and third-parties, and constitute a desktop review of available information to determine the nature and extent of identified safety problems. The off-site investigation would be triggered by persistent safety problems, or those severe enough to warrant investigation.

Focused On-Site Investigation—The focused on-site investigation would take place at the motor carrier's place of business, and would be employed when the carrier exhibits a persistent safety problem in one area. It would enable FMCSA and its state partners to focus on the identified safety problem without spending time and resources where no other safety problems have been identified. It would involve reviewing records, interviewing personnel, analyzing practices, and identifying corrective actions. The focused on-site investigation could be triggered by a continuing deficient or worsening BASIC, or a fatal crash or complaint.

Comprehensive On-Site Investigation—The comprehensive on-site investigation would also take place at the motor carrier's place of business. It would be employed when the carrier exhibits broad and complex safety problems through multiple deficient BASICs, and would be similar to the compliance review conducted under the Agency's current operational model. The comprehensive on-site investigation could be triggered by continuing deficient or worsening multiple BASICs, or a fatal crash or complaint.

Cooperative Safety Plan—The cooperative safety plan (CSP) could be triggered after investigation reveals safety problems for which the motor carrier expresses a *willingness to remedy*. It could be used to support safety improvements before the levying of fines. It would be a structured plan developed and implemented voluntarily by the motor carrier. The CSP would be the motor carrier's action plan to address safety problems. The Agency would monitor the carrier's safety performance, and increase intervention if performance does not improve.

Notice of Violation—The purpose of the notice of violation would be to increase the motor carrier's awareness of enforcement intent on the part of the Agency. It could be useful where the violation is immediately correctable. It would put the carrier on notice of specific regulatory violations. The motor carrier would then have to provide evidence of corrective action, or successfully challenge the identified safety violations. The notice of violation could provide the motor carrier with motivation to change unsafe behavior to avoid a fine.

Notice of Claim—The purpose of the notice of claim is to deter severe or persistent unsafe behavior. It is issued as a formal document and served on the violator to compel compliance. The notice of claim would be triggered by evidence of a severe regulatory violation or history of violations, sufficient to justify assessment of penalties.

Settlement Agreement—The purpose of the settlement agreement is to contractually bind the motor carrier to take actions to improve safety. The motor carrier is given the opportunity to enter into the settlement agreement to avoid fines or suspension of operations. The settlement agreement identifies the consequences to the motor carrier if it does not take the agreed upon action and return to compliance. The agreement would allow the carrier to avoid significant penalties by committing to major safety improvements, for example, with the understanding that failure to comply with the terms of the settlement agreement would result in the immediate imposition of the maximum penalty that would otherwise have been levied.

Unfit Suspension—A motor carrier is placed out of business.

While the above interventions are presented in their logical sequence of severity, it is important to note that FMCSA and its state partners would not necessarily follow this sequence for each carrier. Instead, factors such as carrier history, level of safety performance, motor carrier characteristics, and investigative discretion could influence the intervention selected to encourage change in unsafe behavior.

Another distinguishing feature of CSA 2010 is the investigative process. Under CSA 2010 one of the primary goals during the intervention process would be to identify the root cause of the safety problem under investigation. FMCSA believes that identifying the root causes would in many cases help motor carriers and drivers apply the most effective corrective actions. At the same time, however, it is important to note that FMCSA is a Federal enforcement agency, and that ultimately it is the responsibility of motor carriers and drivers to know, understand, and comply with all applicable safety regulations.

Finally, the new intervention process would also require that areas of essential motor carrier safety management be subject to sampling of motor carrier records. These data could impact a carrier's safety fitness determination, as described below under Safety Fitness Determination. The specific regulatory areas that would be subject to such sampling are listed below in Table 2.

Safety Fitness Determination—Under 49 U.S.C. 31144, FMCSA is required to ''maintain by regulation a procedure for determining the safety fitness of an owner or operator.'' Under the Agency's current operational model, FMCSA uses the compliance review process to issue motor carrier safety ratings, which can be Satisfactory, Conditional, or Unsatisfactory, defined under 49 CFR part 385. Under CSA 2010, safety fitness determinations would be based on safety performance data, and would not necessarily require an on-site investigation like today's compliance review. FMCSA believes that this approach would enable the Agency to assess the safety performance of a greater segment of the motor carrier industry, and make formal safety fitness determinations that are available to the public and more reflective of a motor carrier's current performance.

During the November 2006 listening session, FMCSA discussed the concept of changing the safety fitness determination methodology from the current three tier system of Satisfactory-Conditional-Unsatisfactory to a two tier system of Continue Operation or Unfit. FMCSA pointed out that: (1) The governing legislation requires only that the Agency determine the safety fitness of an owner or operator, (2) the two-tier approach seemed simpler, and (3) it would move away from use of the term Satisfactory. That term can be misperceived by the public as FMCSA approval of a carrier, when in fact the Agency has simply found no patterns of violations during the most recent CR that rise to the Conditional or Unsatisfactory level. Under the Agency's current operational model, the term Satisfactory can also remain with a motor carrier for several years even

though its safety performance may have deteriorated.

Since November 2006, FMCSA has made significant progress in developing a preliminary CSA 2010 safety fitness determination methodology. Under this methodology, FMCSA has dropped the concept of having a two-tier system in favor of the three-tier system. This change is based in large part on comments received in response to last year's public listening session. There were substantial comments indicating the need to make a distinction among carriers within the Continue Operation category, so that the public would know about those carriers with which the Agency is intervening; and to make it clear that sub-par performance, even in a single behavior area, would be identified with an adverse safety fitness determination. After considering these comments, FMCSA has tentatively decided to use the three-tier approach in this CSA 2010 safety fitness determination methodology. However, for purposes of this methodology, the Agency is considering changing the three-tier terminology from Satisfactory-Conditional-Unsatisfactory to Continue Operation-Marginal-Unfit. The Agency believes that this terminology might eliminate the public's possible misperception associated with the term Satisfactory. The term Marginal has been substituted for Conditional because it may be more meaningful in conveying the message, ''marginal in safety performance.'' Likewise the term Unfit may convey a clearer message than the term Unsatisfactory, especially given the Transportation Equity Act for the 21st Century (TEA 21) requirement concerning Unfit motor carriers (65 FR 50919 dated August 22, 2000).

Under this methodology, there would be four major factors that could impact a motor carrier's safety fitness determination: (1) Roadside inspections results as assessed by the Safety Management System (SMS) through stand alone or non-stand alone BASICs, (2) a verifiable crash rate, (3) where essential safety management violations are 10 percent or more of records checked during the intervention process, and (4) fifteen violations which FMCSA believes are so fundamental to ensuring safety that no motor carrier should be allowed to operate if any of these violations are found and not immediately corrected. Factors (1), (2), and (3) would align within the seven BASICs referenced above in the Safety Measurement System. These same factors would be applied to a set of safety fitness criteria to determine a BASIC failure.

A carrier's SMS measures and verifiable crash rate in Factors (1) and (2), respectively, would be applied to a set of Unfit thresholds to determine a BASIC failure. These thresholds would be based on the carrier's absolute BASIC measures and crash rate, as opposed to the relative percentile rankings from the SMS.

Carriers that have received interventions resulting in violations in the areas of essential motor carrier safety management that equal or exceed a 10% violation rate of records check will also result in a BASIC failure.

Table 1 below illustrates how these BASIC failures would interact to determine a motor carrier's safety fitness:

TABLE 1.—PRELIMINARY CSA 2010 SAFETY FITNESS DETERMINATION METHODOLOGY

Stand Alone BASICs: Unsafe Driving Fatigued Driving	Non-Stand Alone *BASICs:* Driver Fitness Drug/Alcohol Cargo Securement Vehicle Maintenance Verifiable Crash Rate	Fifteen Fundamental Violations	Safety Fitness Determination
Number of BASICs: (1) With SMS measure above Unfit threshold, or (2) Where essential safety management violations are 10 percent or more of records checked	*Number of BASICs:* (1) With SMS measure or verifiable crash rate above Unfit threshold, or (2) Where essential safety management violations are 10 percent or more of records checked.	See Table 3 below	Continue Operation. Marginal. Unfit.
1	.....	.....	Unfit.
0	Greater than 1	.....	Unfit.
0	0	1	Unfit.
0	1	0	Marginal.
0	0	0	Continue Operation.

The above methodology makes a distinction between ''stand alone'' and ''non-stand alone'' BASICs. For the ''stand alone'' BASICs a failure in only one of them would result in a proposed Unfit status, whereas for the ''non-stand alone'' BASICs a failure in more than one of them would be required for the proposed Unfit status. The rationale for this distinction is that, although each of the BASICs applies to both carriers and drivers, the ''stand alone'' BASICs are more directly related to driver behavior. Recent research indicates that driver behavior is a major contributing factor in causing crashes. In particular, an effectiveness study on the Safety Management System has shown that carriers with past poor performance in the Unsafe Driving or Fatigue Driving BASICs were subsequently involved in crashes at a considerably higher rate than the overall crash rate of the motor carrier population.

FMCSA believes that this preliminary safety fitness determination methodology would allow the Agency to assess the safety performance of a larger segment of the motor carrier industry. In contrast to the Agency's current methodology, this approach is not tied to an on-site compliance review and it takes into account virtually all of the safety regulations. FMCSA would issue safety fitness determinations on all motor carriers for which it has sufficient data. These would be updated monthly and made available to the public.

Information Technology—Information technology (IT) is the fourth major component of CSA 2010, and COMPASS is the Agency's major IT modernization initiative. CSA 2010 is coordinating closely with the COMPASS program so that the timelines of both programs are synchronized as much as possible. With respect to CSA 2010, COMPASS will track and update the safety performance data from regulated entities as they are received, link relevant data to the

correct entity, validate the data, and provide the mechanisms for correcting data. COMPASS will also support the intervention process as FMCSA and its state partners gather safety performance data on motor carriers and drivers.

Operational Model Test

FMCSA is planning to field test the new CSA 2010 operational model (Op-Model) beginning in January 2008. The purpose of the test is to determine both the feasibility and effectiveness of the new CSA 2010 interventions and Safety Management System.

During the Op-Model test, FMCSA will not be providing any regulatory relief. Motor carriers will not actually be rated under the CSA 2010 safety fitness determination methodology, because that methodology must yet be implemented through rulemaking. Instead, a motor carrier in the Op-Model test with poor safety performance, and found to be unresponsive to the new CSA 2010 interventions, would undergo a compliance review and be rated in accordance with the Agency's current compliance and enforcement process and be subject to fines, penalties, and other actions to bring about compliance.

The test will take place in four states: Colorado, Georgia, Missouri, and New Jersey, which will provide one test state for each of the four FMCSA Service Centers. FMCSA anticipates that this geographic and demographic diversity will help provide a representative cross-section of the motor carrier population. Approximately ten percent of the total number of active carriers and power units in the U.S. are based in these four states. Carriers that are domiciled in these four states will be assigned to one of three groups:

Current Process Group: This is a small number of carriers that is excluded from the test, as discussed below.

Test Group: This is approximately ½ of the remaining carriers.

Control Group: This is approximately ½ of the remaining carriers.

Carriers in the Current Process Group include the following:

Carriers that have had a compliance review within the past 18 months. This should help avoid the question of whether a carrier's performance improvement was due to a CSA 2010 intervention or the compliance review.

SafeStat category A/B carriers. This exclusion would ensure that FMCSA complies with relevant mandates and policies to perform compliance reviews on category A and B motor carriers. It would also help focus the test on carriers with mediocre performance which are not currently being reached. Roadside and accident data that feed the CSA 2010 operational model are already being used and applied to A and B carriers.

Chameleon carriers. These are carriers that attempt to evade enforcement actions or out-of-service orders by re-registering as new entrants and operating under new DOT numbers. Once identified, these carriers would be removed and subject to current compliance and enforcement actions.

The carriers that are thus excluded will continue to be subject to current processes, including compliance reviews. These exclusions are designed to ensure that the two remaining groups of carriers (test and control) are similar in characteristics for evaluation purposes.

After the exclusions described above are made, FMCSA plans to randomly divide the remaining motor carriers domiciled in the test states into two equal sized groups—a test group and a control group. The control group would be addressed through the Agency's current operational model, which involves the use of SafeStat to identify motor carriers for compliance reviews and any required enforcement actions. Those motor carriers in the test group would receive CSA 2010 interventions based on information provided by the Safety Measurement System. Again, motor carries in the test group with poor safety performance, and found to be unresponsive to the new CSA 2010 interventions, would undergo a compliance review and be rated in accordance with the Agency's current compliance and enforcement process. FMCSA anticipates that the number of such carriers would be relatively low, since SafeStat A/B carriers will be initially excluded from the test.

However, as the test progresses, FMCSA is considering adding SafeStat A/B motor carriers to the test. Including A/B carriers would help demonstrate the effectiveness of the new interventions on the group of carriers that FMCSA traditionally targets. It may be that with some of the less time-consuming CSA 2010 interventions, FMCSA could reach A/B carriers more quickly than they would otherwise be reached using the compliance review process. If the new interventions are effective, the carrier could be moved off of the A/B list, thereby eliminating the need for a compliance review. If, however, the carrier does not respond, it would be removed from the test and undergo the traditional compliance review and any necessary enforcement action.

The Agency plans to begin the test in January 2008. The test would have two phases. Phase I would be a six-month startup phase where only three BASICs would be measured: Unsafe Driving, Fatigued Driving, and Vehicle Maintenance. This would allow time for the test to become fully operational by June 2008, when the remaining BASICs would be added.

The test is scheduled to run for 30 months into mid-2010, at which time FMCSA is targeting full CSA 2010 implementation. The thirty-month timeframe is designed to provide sufficient data for statistical purposes with results evaluated at periodic intervals. It is anticipated that full implementation of CSA 2010 could take place through the addition of more states when the safety fitness determination rulemaking is completed. Of course, the Agency will consider the results of the ongoing Op-Model test in fine tuning the rulemaking through notice and comment. Likewise, comments received during the rulemaking will be considered for any needed course correction during the Op-Model test. Initially, the results will likely be more qualitative than quantitative. However, as the test progresses and more data are gathered, the Agency anticipates being able to make quantitative evaluations of the effectiveness of CSA 2010. As with any planned activity, FMCSA will continue to fine tune its plans for the Op-Model test until it commences in January 2008.

FMCSA plans to use approximately 30 Federal and state investigators to carry out the new CSA 2010 interventions in the test group. Training for the investigators involved in the test group is planned for late January 2008, after which the Op-Model test will immediately begin.

Comments Requested

FMCSA requests comments from all interested parties on the CSA 2010 program elements described in this notice. FMCSA is particularly interested in comments related to the Safety Measurement System, interventions, preliminary safety fitness determination methodology, and operational model test. Commenters are requested to provide supporting rationale and data wherever possible.

TABLE 2.—AREAS OF ESSENTIAL MOTOR CARRIER SAFETY MANAGEMENT

1. Scheduling a run which would necessitate the vehicle being operated at speeds in excess of those prescribed (§ 392.6).
2. Operating a motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated (§ 392.2)(Safety related violations only).
3. No operating authority (392.9a(a).
4. False reports of records of duty status (§ 395.8(e)).
5. Requiring or permitting driver to drive more than 11 hours (§ 395.3(a)(1)).
6. Requiring or permitting passenger CMV driver to drive more than 10 hours (§ 395.5(a)(1)).
7. Requiring or permitting driver to drive after 14 hours on duty (§ 395.3(a)(2)).
8. Requiring or permitting passenger CMV driver to drive after 15 hours on duty (§ 395.5(a)(2)).
9. Requiring or permitting driver to drive after 60 hours on duty in 7 days (§ 395.3(b)(1)).
10. Requiring or permitting driver to drive after 70 hours on duty in 8 days (§ 395.3(b)(2)).
11. Requiring or permitting passenger CMV driver to drive after 60 hours on duty in 7 days (§ 395.5(b)(1)).
12. Requiring or permitting passenger CMV driver to drive after 70 hours on duty in 8 days (§ 395.5(b)(2)).
13. Requiring or permitting short-haul property CMV driver to drive after 16 hours on duty (§ 395.1(o)).
14. No records of duty status (§ 395.8(a)).
15. Failing to submit record of duty status within 13 days (§ 395.8(i)).
16. Failing to preserve records of duty status for 6 months (§ 395.8(k)).
17. Failing to preserve supporting documents (§ 395.8(k)).
18. Fraudulent or intentional alteration of a supporting document (§ 395.8(k)).
19. Requiring or permitting driver to drive after 70 hours in 7 days (Alaska)(§ 395.1(h)(1)(iii)).
20. Requiring or permitting driver to drive after 80 hours on duty in 8 days (Alaska)(395.1(h)(1)(iv)).
21. Requiring or permitting driver to drive more than 15 hours (Alaska)(§ 395.1(h)(1)(i)).
22. Requiring or permitting driver to drive after being on duty 20 hours (Alaska)(§ 395.1(h)(1)(ii)).
23. Requiring or permitting passenger CMV driver to drive more than 15 hours (Alaska). (§ 395.1(h)(2)(i)).
24. Requiring or permitting passenger CMV driver to drive after 20 hours on duty (Alaska)(§ 395.1(h)(2)(ii)).
25. Requiring or permitting passenger CMV driver to drive after 80 hours on duty in 8 days (Alaska)(§ 395.1(h)(2)(iv)).
26. Requiring or permitting passenger CMV driver to drive after 70 hours on duty in 7 days (Alaska)(395.1(h)(2)(iii)).
27. Failing to investigate driver's background (§ 391.23(a)).
28. Failing to maintain driver qualification file on each driver employed (§ 391.51(a))(Use current guidance of no element of DQ file requirements found).
29. Operating a CMV without a valid CDL (§ 383.23(a))(Safety related loss only).
30. Failing to train hazardous material employees as required (§ 172.704(a) & § 177.800(c)).
31. Using a driver not medically re-examined each 24 months (§ 391.45(b)(1)).
32. Using a driver not medically examined and certified (§ 391.45(a)).
33. Using a driver before receiving a negative pre-employment result (§ 382.301(a)).
34. Failing to perform random alcohol tests at the applicable rate (§ 382.305(b)(1)).
35. Failing to perform random controlled substance tests at the applicable rate (§ 382.305(b)(2)).
36. Using a driver without a return to duty test (§ 382.309).
37. Failing to keep minimum records of inspection and maintenance (§ 396.3(b)).
38. Requiring or permitting a driver to drive without the vehicle's cargo being properly distributed and adequately secured (§ 392.9(a)(1)).
39. Transporting a HM without preparing a shipping paper (§ 172.200(a) & § 177.817(a))(no shipping paper at all).
40. Transporting HM in a package with an identifiable release of HM (§ 173.24).
41. Loading a cargo tank with an HM which exceeds the maximum weight of lading marked on the specification plate (§ 173.24b(d)(2)).
42. Loading HM not in accordance with the separation and segregation table (§ 173.30/177.848(d)).
43. Transporting HM in an unauthorized cargo tank (§ 173.33(a)).
44. Transporting or loading two or more materials in a cargo tank motor vehicle which resulted in an unsafe condition (§ 173.33(a)(2)).
45. Transporting a hazardous material in a cargo tank motor vehicle which has a dangerous reaction when in contact with the tank (§ 173.33(b)(1)).
46. Transporting an unacceptable HM shipment (§ 177.801).
47. Failing to attend a cargo tank during loading/unloading (§ 177.834(i)).
48. Offering a cargo tank which has not successfully completed a test or inspection which has become due (§ 180.407(a)).
49. Failing to test and inspect a cargo tank which has been in an accident and has been damaged (§ 180.407(b)(2)).
50. Failing to conduct a pressure test on a cargo tank which has been out of HM service for one year or more (§ 180.407(b)(3)).
51. Failing to test and inspect a cargo tank which has been modified (§ 180.407(b)(4)).
52. Failing to conduct a test or inspection on a cargo tank when required by DOT (§ 180.407(b)(5)).
53. Failing to periodically test and inspect a cargo tank (§ 180.407(c)).

TABLE 3.—FUNDAMENTAL VIOLATIONS

1. Failing to implement an alcohol and/or controlled substance testing program (§ 382.115(a) or (b)).
2. Using a driver who has refused to submit to an alcohol or controlled substances test required under part 382 (§ 382.211).
3. Using a driver known to have tested positive for a controlled substance (§ 382.215).
4. Knowingly allowing, requiring, permitting, or authorizing an employee with a commercial driver's license which is suspended, revoked, or canceled by a state or who is disqualified to operate a commercial motor vehicle as defined in Part 383. (§ 383.37(a)).
5. Knowingly allowing, requiring, permitting, or authorizing a driver who is disqualified to drive a commercial motor vehicle (§ 383.51(a)).
6. Operating a motor vehicle transporting property without having in effect the required minimum levels of financial responsibility coverage (§ 387.7(a)).
7. Using a disqualified driver (§ 391.15(a)).
8. Using a physically unqualified driver (§ 391.11(b)(4)).
9. Failing to require a driver to make a record of duty status (§ 395.8(a)) (Complete lack of any records of duty status).
10. Requiring or permitting the operation of a motor vehicle declared ''out-of-service'' before repairs are made (§ 396.9(c)(2)).
11. Using a commercial motor vehicle not periodically inspected (§ 396.17(a)). (Complete lack of any periodic inspections).
12. Operating a passenger carrying vehicle without having in effect the required minimum levels of financial responsibility (§ 387.31(a)).

TABLE 3.—FUNDAMENTAL VIOLATIONS—Continued

13. Failing to implement a random controlled substances and/or an alcohol testing program (§ 382.305).
14. Failing to correct out-of-service defects listed by a driver in a driver vehicle inspection report before the vehicle is operated again (§ 396.11(c)).
15. Transporting a forbidden material (§ 177.801).

Issued on: October 30, 2007.

John H. Hill,

Administrator.

[FR Doc. E7–21671 Filed 11–1–07; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Notice of Limitation on Claims Against Proposed Public Transportation Projects

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of Limitation on Claims.

SUMMARY: This notice announces final environmental actions taken by the Federal Transit Administration (FTA) for public transportation projects in the following metropolitan areas: Orlando, Florida; Miami, Florida; Salt Lake City, Utah; San Francisco, California; and Binghamton, New York. The purpose of this notice is to announce publicly the environmental decisions by FTA on the subject projects and to activate the limitation on any claims that may challenge these final environmental actions.

DATES: By this notice, FTA is advising the public of final agency actions subject to Title 23, United States Code (U.S.C.), section 139(l). A claim seeking judicial review of the FTA actions announced herein for the listed public transportation projects will be barred unless the claim is filed on or before April 30, 2008.

FOR FURTHER INFORMATION CONTACT: Joseph Ossi, Environmental Protection Specialist, Office of Planning and Environment, 202–366–1613, or Christopher Van Wyk, Office of Chief Counsel, 202–366–1733. FTA is located at 1200 New Jersey Avenue, SE., Washington, DC 20590. Office hours are from 9 a.m. to 5:30 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: Notice is hereby given that FTA has taken final agency actions by issuing certain approvals for the public transportation projects listed below. The actions on these projects, as well as the laws under which such actions were taken, are described in the documentation issued in connection with the project to comply with the National Environmental Policy Act (NEPA), and in other documents in the FTA administrative record for the project. The final agency environmental decision documents—Records of Decision (RODs) or Findings of No Significant Impact (FONSIs)—for the listed projects are available online at *http://www.fta.dot.gov/planning/environment/planning_environment_documents.html* or may be obtained by contacting the FTA Regional Office for the metropolitan area where the project is located. Contact information for the FTA Regional Offices may be found at *http://www.fta.dot.gov.*

This notice applies to all FTA decisions on the listed projects as of the issuance date of this notice and all laws under which such actions were taken, including, but not limited to, the National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4375], Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303], Section 106 of the National Historic Preservation Act [16 U.S.C. 470f], and the Clean Air Act [42 U.S.C. 7401–7671q].

The projects and actions that are the subject of this notice are:

1. *Project name and location:* Central Florida Commuter Rail; Orlando, Florida. *Project sponsor:* Florida Department of Transportation. *Project description:* The Central Florida Commuter Rail project extends 61 miles along the A-line rail corridor of CSX Transportation from the Deland Amtrak station in Volusia County, through downtown Orlando, to Poinciana Industrial Park in Osceola County. Bi-directional commuter rail service would be provided at a total of 16 stations using diesel multiple units (DMUs) in two-or three-car consists operating on 15 minute headways in the peak hours and 60 minute headways during the midday, off-peak hours. Other infrastructure improvements of the project include: A new signalization system, 42 miles of new second track, 16 platform stations of which 11 stations have parking facilities with a total of 4300 spaces, a DMU vehicle storage and maintenance facility, and two end-of-line layover facilities. The project would be built in phases. *Final agency actions:* FONSI signed on April 27, 2007; Section 106 Finding of No Adverse Effect; project-level Air Quality Conformity determination; finding of no significant encroachment on floodplains in accordance with Executive Order 11988; finding of no practicable alternative to new construction in wetlands in accordance with Executive Order 11990; and consultation with the U.S. Department of the Interior (DOI) under Section 7 of the Endangered Species Act, resulting in DOI's issuance of a Biological Opinion. *Supporting documentation:* Central Florida Commuter Rail Transit North/South Corridor Project: Environmental Assessment issued in December 2006.

2. *Project name and location:* Miami North Corridor Metrorail Extension; Miami, Florida. *Project sponsor:* Miami-Dade County Transit (MDT). *Project description:* The project consists of the design and construction of a 9.5-mile heavy rail transit extension of the existing Miami Metrorail system from NW 76th Street to NW 215th Street on or adjacent to NW 27th Avenue. The project is a dual-track, fixed guideway that would be exclusively elevated in the right of way of NW 27th Avenue or in an exclusive MDT-owned right of way adjacent to NW 27th Avenue. The project includes seven new stations of which six stations are configured as center-platform and one as side-platform. *Final agency actions:* ROD signed on April 26, 2007; Section 106 Finding of No Adverse Effect; project-level Air Quality Conformity determination; finding of no disproportionately high and adverse human health or environmental effects on minority and low-income populations in accordance with Executive Order 12898; and finding of no significant encroachment on floodplains in accordance with Executive Order 11988. *Supporting documentation:* Final Environmental Impact Statement: Miami North Corridor issued on March 9, 2007.

3. *Project name and location:* Mid-Jordan Transit Corridor Project; Salt Lake City, Utah. *Project sponsor:* Utah Transit Authority (UTA). *Project description:* The project consists of a 10.6-mile light rail transit (LRT) extension branching from the existing TRAX line between Sandy and Salt Lake City at 6400 South in Murray in Salt Lake County and proceeding to the new Daybreak Development in South Jordan via the cities of Murray, Midvale, West

Appendix B

Plenary Session Presentations

Federal Motor Carrier Safety Administration
CSA2010
Comprehensive Safety Analysis

Comprehensive Safety Analysis (CSA 2010) Listening Session

December 4, 2007
Arlington, Texas

www.fmcsa.dot.gov/csa2010

1

Today's Agenda

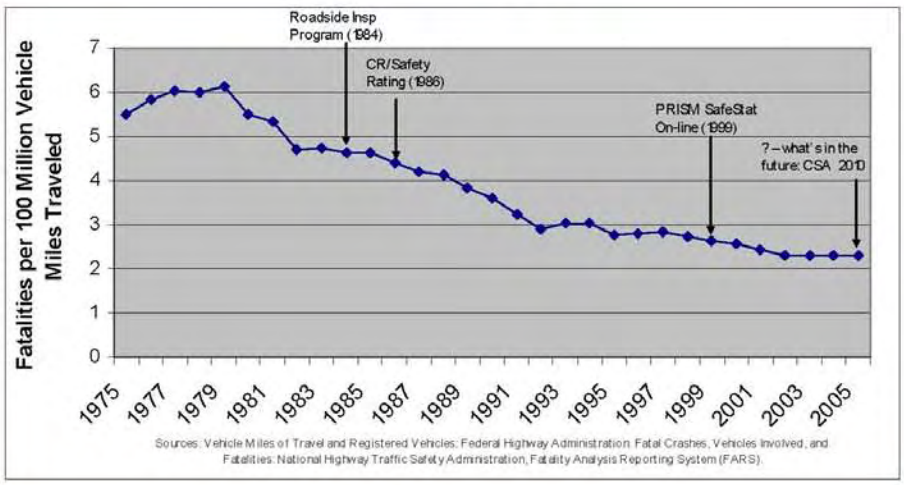
9:00am - 10:00am Plenary Session	Welcome & Introduction	Allison Gurnitz, Moderator
	Opening Remarks	Rose McMurray, FMCSA Chief Safety Officer and Assistant Administrator
	CSA 2010 Overview	Bill Mahorney, CSA 2010 Assistant Program Manager
	Breakout Directions	Allison Gurnitz
10:15am - 3:30pm Breakout Sessions 10:15-11:45 Session 1 *11:45-12:15 lunch* 12:15-1:45 Session 2 2:00-3:30 Session 3	Each participant will attend each session. Topic 1: Safety Measurement System Topic 2: Safety Fitness Determination Topic 3: Operational Test Model	

2

What is CSA 2010?

- Major Federal Motor Carrier Safety Administration (FMCSA) safety initiative.
- High priority – budget/strategic planning.
- Bottom Line: To achieve greater reduction in large truck and bus crashes.

Why CSA 2010?



Current Business Limitations

- Safety fitness determination tied to compliance review.
- Very labor intensive.
- Result: We assess only small fraction of industry.
- Focus is on carriers.

5

CSA 2010 Approach

- Target unsafe behavior.
- Safety fitness tied to safety performance; not limited to acute/critical violations from a compliance review.
- Broad array of progressive interventions.
- Focus is on carriers and drivers.
- Leverage new technology, training, and information.

6

Potential Benefits – CSA 2010

- Maximize effectiveness of agency and State partner resources.
- Correct unsafe behavior early.
- Assess larger segment of industry.
- Achieve Goal: Greater reduction in large truck and bus related fatalities.

Top 5 Concerns—November 2006 Listening Session

- There should be a two-tiered fitness gradation for "Continue to Operate"
- Quality of Data
- Differences between carriers must be recognized (Industries, Types, and Size (e.g. HAZMAT, large/small))
- There needs to be consistent data submission and enforcement across states
- There needs to be a difference between carriers and drivers in the BASICs

Behavioral Analysis & Safety Improvement Categories

BASICs for Carriers and Drivers

Behaviors That Lead To Crashes

1. Unsafe Driving
2. Fatigued Driving
3. Driver Fitness
4. Drugs and Alcohol
5. Vehicle Maintenance
6. Cargo Securement
7. Crash Experience

9

Carrier & Driver Measurement Systems

Two Measurement Systems

- Carrier Safety Measurement System (CSMS)
- Driver Safety Measurement System (DSMS)
- Potential to add others (e.g., shippers)

- Measure & Monitor safety behavior.
- Identify specific safety problems.
- "Triggers" the intervention process & "unfit."
- Provide stakeholders important safety information.

10

SafeStat vs. Safety Measurement System

SafeStat	SMS
Organized in general areas (4 SEAs)	Organized by behaviors (BASICs plus Crash)
Identifies carriers for one-size-fits-all CR	Identifies safety problems in the same structure that CSA2010 fixes the problems (by BASIC)
Uses only OOS and moving violations from inspections	Uses all safety-based inspection violations
No impact on Safety Rating	May impact SFD
No risk based violation weightings	Risk based violation weightings
Assess carriers	Assess carriers and drivers

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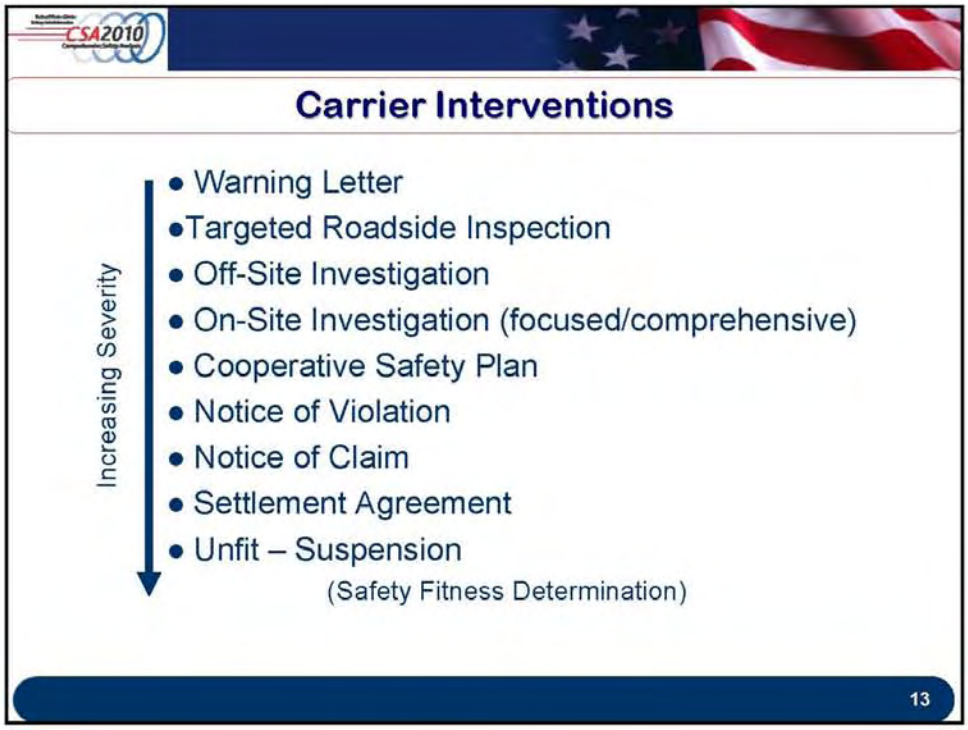
Carrier Interventions – Triggers and Selection

- Intervention process triggered by:
  - One or more deficient BASICs,
  - High crash indicator, or
  - Complaint or fatal crash.
- Intervention selection influenced by:
  - Safety performance,
  - HM or passenger carrier, and
  - Intervention history.

12


CSA2010
Carrier Interventions
Increasing Severity
• Warning Letter
• Targeted Roadside Inspection
• Off-Site Investigation
• On-Site Investigation (focused/comprehensive)
• Cooperative Safety Plan
• Notice of Violation
• Notice of Claim
• Settlement Agreement
• Unfit – Suspension
(Safety Fitness Determination)
13

Compliance Reviews vs. Interventions

CR	Interventions
One tool	Progressive set of tools
Examines many safety management practices	Focus on specific problems
Outcome: acute and critical violations	Outcome: root causes and corrective actions for safety problems.
Determines safety fitness rating	Violations combined with on-road performance for safety fitness determination
Focused on compliance	Focused on improving behaviors that are linked to crashes
Time consuming	Efficiently addresses safety problems
Intervene with a few carriers, later	Intervene with more carriers, earlier

14

CSA 2010 Safety Fitness Determination (SFD)

Today's Model

- SFD tied to compliance review and acute/critical violations
- Satisfactory, Conditional, or Unsatisfactory
- SFD effective until next CR

CSA 2010

- SFD tied to performance data and/or intervention findings
- Continue Operation, Marginal, or Unfit
- SFD updated regularly

15

CSA 2010 Safety Fitness Determination - Carrier

- Status ---
  - Major notice and comment rulemaking
  - Revise Part 385, Safety Fitness Procedures
  - NPRM publication - Targeting spring/summer 2008

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CSA 2010 Proposed Operational Model

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Operational Model Test

- Targeted start - January 2008
- Four states – CO, GA, MO, NJ
- Randomly selected subset of domiciled carriers
- No regulatory relief under Part 381
- Goals:
  - Validate measurement system
  - Test intervention process
  - Evaluate effectiveness

18

Listening Session Topics

- Operational Model Test
- Safety Fitness Determination
- Safety Measurement System

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CSA 2010

For more information – or to submit questions or comments, please visit our Web site:

www.fmcsa.dot.gov/csa2010

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Breakout Session Process

- Demonstration/Presentation Followed by Facilitated Discussion:
  - Listen to and capture your collective reactions, feedback, thoughts, and suggestions for each area presented
- We will NOT try to reach agreement/consensus, but rather a better understanding of your thoughts/opinions.
  - We will NOT capture names associated with comments.
- Any other input you have may be sent to the docket before January 31, 2008, at http://www.regulations.gov, using Docket Number FMCSA-2004-18898 or one of the other methods described in your program guide.

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Appendix C

Breakout Session Presentations

Federal Motor Carrier Safety Administration

CSA2010 Comprehensive Safety Analysis

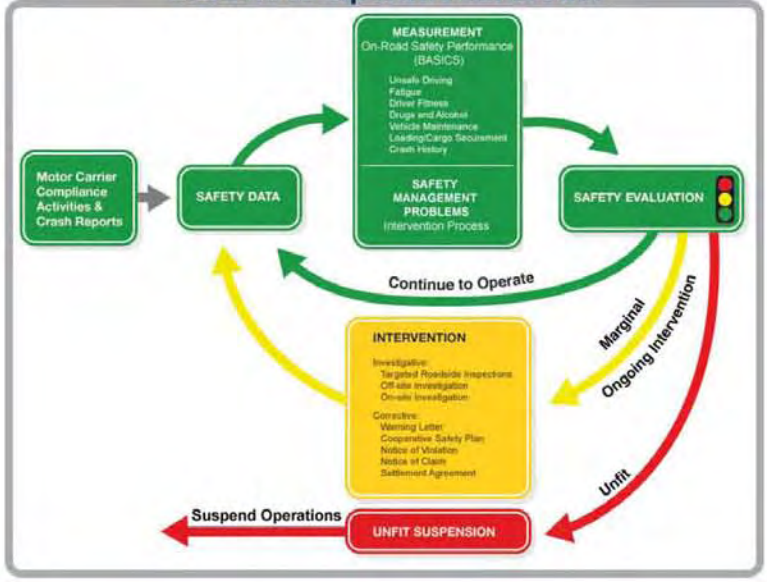
CSA 2010 Operational Model Test

Listening Session

December 4, 2007

1

CSA 2010 Operational Model



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Behavioral Analysis & Safety Improvement Categories

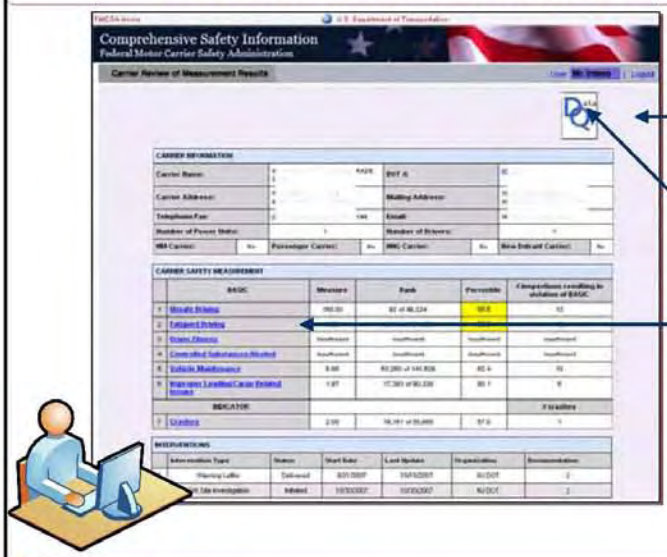
BASICs for Carriers and Drivers

Behaviors That Lead To Crashes

1. Unsafe Driving
2. Fatigued Driving
3. Driver Fitness
4. Drugs and Alcohol
5. Vehicle Maintenance
6. Cargo Securement
7. Crash Experience

3

BASIC Performance: Carrier's View



- Review Carrier Safety Measurement Results
- Access DataQs to Challenge Data
- Link to SMS Methodology
- Secure Access via A&I PIN

4

Carrier Interventions – Triggers and Selection

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  - High crash indicator, or
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- Intervention selection influenced by:
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5

Carrier Interventions

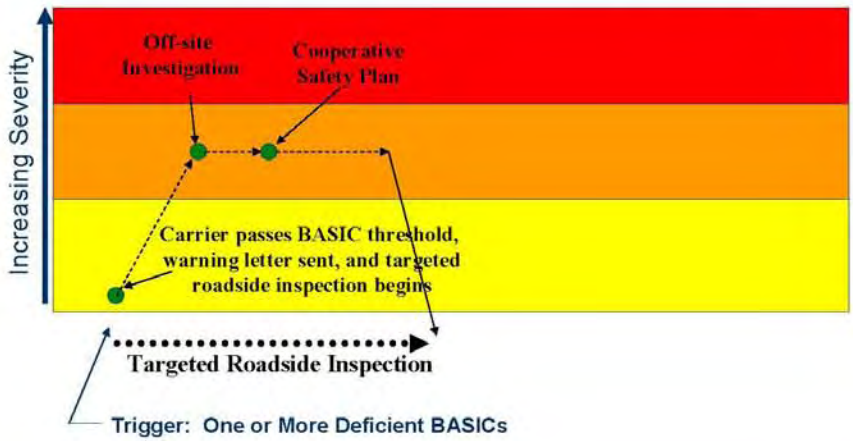
Increasing Severity

- Warning Letter
- Targeted Roadside Inspection
- Off-Site Investigation
- On-Site Investigation
- Cooperative Safety Plan
- Notice of Violation
- Notice of Claim
- Settlement Agreement
- Unfit – Suspension

(Safety Fitness Determination)

6

Example of the Intervention Process



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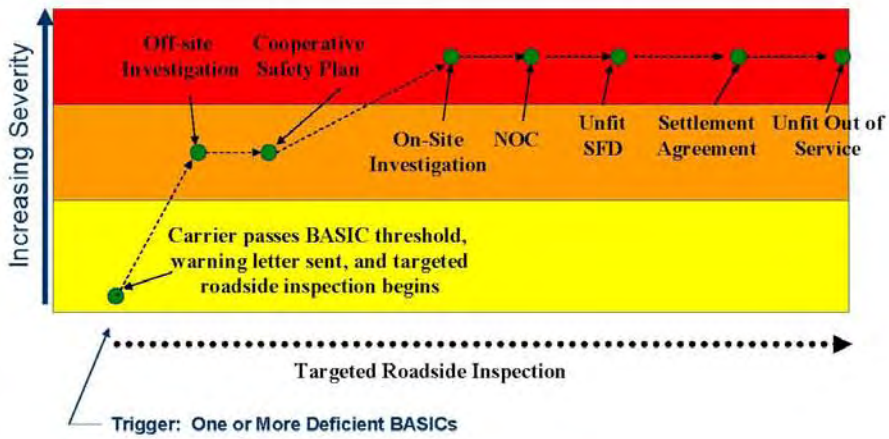
Another Example of the Intervention Process



8

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Operational Model Test

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- Four states – CO, GA, MO, NJ
- Randomly selected subset of domiciled carriers
- No regulatory relief under Part 381
- Goals:
  - Validate measurement system
  - Test intervention process
  - Evaluate effectiveness

10

Carrier Selection

- Carriers that are domiciled in each of the four test States
- Exclusions
  - Carriers with a compliance review within past 18 months
  - Category A/B carriers who are receiving a compliance review
- The remaining carriers are randomly split into two groups
  - Test group
    - Receives new interventions if a BASIC fails
  - Control group
    - Carriers subject to the current process, and will continue to receive ratings
- Why?
  - Ensures some carriers still receive ratings in the test states
  - Provides a control group for evaluating the effectiveness of the new interventions

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A/B Carriers

- Excluded from the Op Model Test during Phase I
  - Allows us to focus on evaluating the "softer" interventions during Phase I of the test
- Included in Phase II
  - We may be able to reach them more quickly than with compliance reviews
  - Will allow us to evaluate how A/B carriers respond to the new interventions, in comparison to the traditional CR process

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Monitoring and Evaluation

- Process Evaluation (throughout the test)
  - Safety: monitoring of crashes and violations
  - Feasibility of the new interventions
    - Burden on carriers
    - Experiences of FMCSA/State personnel
    - Time and cost assessment for FMCSA and States
  - Number of carrier touches
- Impact Evaluation (towards the end of the test)
  - Lessons learned from the process evaluation
  - Safety: impact on crashes and violations
  - Time and cost assessment for FMCSA and States
- Measurement System
  - Consistency (Similar carriers have similar scores)
  - Validity (Scores relate to safety performance)

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Q&A

Q. How are carriers selected for the test?

A. After the exclusions have been made (e.g., recent CR), carriers are assigned **randomly** to test and control groups, in order to ensure a valid comparison

Q. How will a carrier know if it is in the test or control group?

A. Most carriers who are in the test group won't know it, because their BASIC performance will be better than the intervention threshold. Those carriers whose BASICs are deficient in some manner will know they are in the test when they receive a warning letter and/or other new interventions.

14

Q&A (continued)

Q. If there is no safety fitness determination (SFD) in the O.M. test, how are bad carriers removed from service?

A. Current regulations base the SFD on a compliance review. If the performance of a carrier in the test group is poor enough to warrant removal from service, that carrier will be removed from the test, and subject to a compliance review, leading (as appropriate) to an unfit determination.

Q. Will you be taking actions against a carrier based on a high number of crashes? What if the crashes were not preventable?

A. A high number of crashes is an indication that further investigation is warranted. Sanctions (if any) will be based on that investigation and not simply on the numbers of crashes.

Discussion Topics

- New CSA 2010 Interventions
  - Strengths, weaknesses, suggestions for improvement
    - Warning Letter
    - Causal Factor Identification through Investigation
    - Off site Investigation
    - CSP
    - NOV
- Repeat Violators
  - When to escalate?
  - How long to wait for a carrier to improve?
- Reaction to the Treatment of A/B Carriers
- Overall Reaction to the CSA 2010 Approach

Federal Motor Carrier Safety Administration
CSA2010
Comprehensive Safety Analysis

Comprehensive Safety Analysis 2010
Listening Session
Arlington, Texas

Safety Fitness Determination

December 4, 2007

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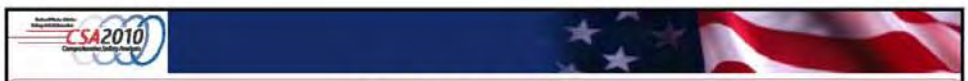

SFD Overview

- Goals
- Key Features
- Purpose of the rule change
- Proposed changes to SFD

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CSA 2010 Goals

- Develop new mechanism by which to determine a carrier's safety fitness
- Develop new Measurement System incorporating results from roadside inspection, crash and investigation history.
- Regularly updated with current information.
- Considers and Evaluates all FMCSR's

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CSA 2010

Key features are:

- Increased contact with more carriers and drivers;
- Use improved data to better identify high risk carriers and drivers; and

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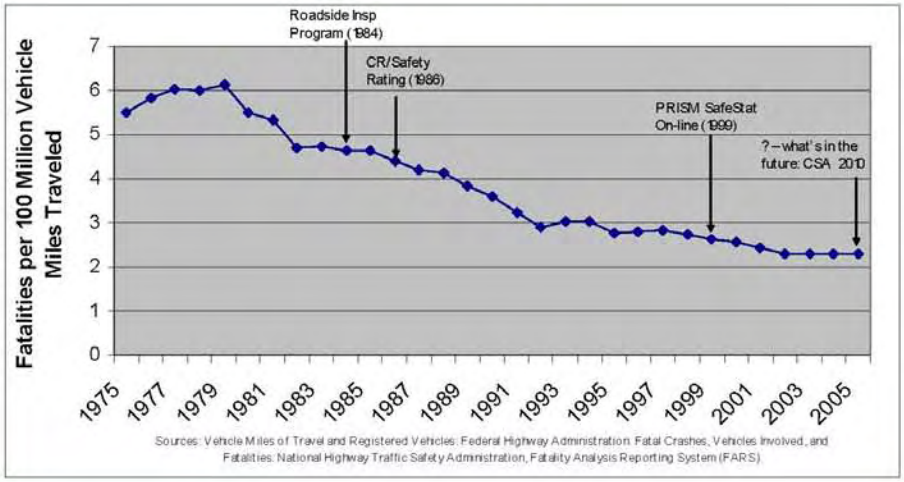
Why CSA 2010?



Current Business Limitations

- Safety fitness determination tied to compliance review.
- Very labor intensive.
- Result: We assess only small fraction of industry.
- Focus is on carriers.

Interested Parties

- Congress
- NTSB
- Industry
- Safety Advocates

CSA 2010 - Features

- Target unsafe behavior.
- Safety fitness tied to data; not CR or only acute/critical violations.
- Broad array of progressive interventions.
- Focus is on carriers and drivers.
- Leverage new technology, training, and information.

Carrier & Driver Measurement Systems

- Two Measurement Systems
  - Carriers
  - Driver
- Emphasizes on the road performance

25

Behavioral Analysis & Safety Improvement Categories

BASICs for Carriers and Drivers

Behaviors That Lead To Crashes

1. Unsafe Driving
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3. Driver Fitness
4. Drugs and Alcohol
5. Vehicle Maintenance
6. Cargo Securement
7. Crash Experience

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Measurement Systems
Carrier and Driver

Safety Events By Entity → BASIC Data → BASIC Measures → Rank / Percentile

- Each BASIC –
  - Weighted for time/crash-risk
  - Normalized for exposure
  - Peer grouped
  - Data sufficiency tested
  - Ranked by percentile – relative to peers
  - Updated every 30 days

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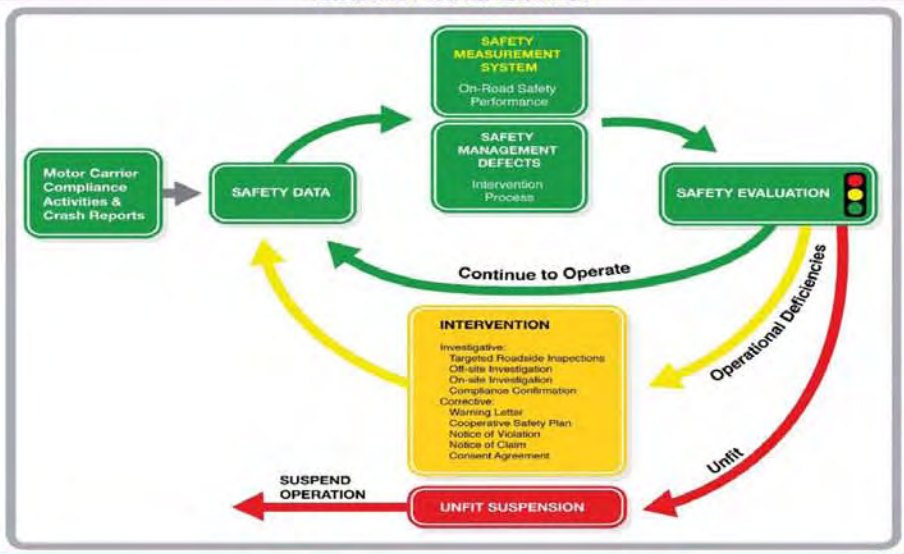
Measurement Systems
Carrier and Driver



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Proposed changes

- Safety Fitness will not be tied to a CR which only measures acute/critical violations.
- SFD is a performance based measure based on an absolute value.
- New interventions will allow for more contacts with motor carriers and drivers.

29

CSA 2010 – Proposed SFD

- Maintain three tiered approach to SFD.
- Performance based system utilizing all available data collected.
- All regulations will factor into SFD.
- Most similar to current rating system.

30

CSA 2010 – Proposed SFD

- Incorporates 7 BASIC's into measurement and SFD scheme.
- Identified 15 Fundamental Violations into Measurement System which will have direct impact on SFD.
- Results from progressive Interventions will be incorporated into SFD.
- Identified 53 essential safety management regulations.

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Carrier SFD – Proposed Three Tier Option

BASICs or Results from Intervention		Fundamental Violations	Safety Fitness Determination
Stand Alone BASICs: ***Unsafe Driving*** ***Fatigued Driving***	*Non Stand Alone BASICs:* ***Drug/Alcohol*** ***Improper Loading/Cargo*** ***Crash Indicator*** ***Vehicle maintenance*** ***Driver Fitness***		
Number of BASICs with Score Above "Failed" BASIC Threshold or Critical Level of violations discovered during Intervention	Number of BASICs with Score Above "Failed" BASIC Threshold or Critical level of violations discovered during Intervention		
1			Unfit
0	>1		Unfit
0	0	1	Unfit
0	1	0	Marginal
0	0	0	Continue Operations

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Proposed New SFD Approach

- BASICs are split into two groups, "*stand alone*" and "*non stand alone.*"
- Failure in "stand alone" BASICs alone (unsafe driving and fatigued driving), is sufficient for a proposed SFD of "Unfit"
- Failure in "non stand alone" BASIC will result in "Marginal" proposed SFD.

33

Comparison of Existing Regulations vs. Proposed

Existing SFD Process	Proposed CSA2010 SFD Process
SFD can only be issued or changed with on-site CR.	SFD is not tied exclusively to on-site reviews.
SFD is a snapshot of compliance on the date of the CR.	Safety fitness is evaluated on a monthly basis.
SFD does not consider driver roadside inspection performance.	Proposed Unfit can be issued based on failed Fatigue, Unsafe Driving, or Driver Fitness BASIC resulting from roadside inspections alone.
SFD based solely on Critical and Acute violations.	SFD based on violations of all regulations.
Three SFD "labels": Unsatisfactory, Conditional, and Satisfactory.	Three SFD "labels": Unfit, Marginal and "Continue Operations".
Multiple "areas" of deficiency must be documented during a CR to receive an adverse SFD.	Failure in the Unsafe Driving, Fatigued Driving, or Driver Fitness BASIC alone is considered unacceptable behavior that will result in a proposed Unfit SFD.

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CSA 2010 – Due Process

- Due Process rights have not changed.
- Carrier can challenge the accuracy of the data in any challenge.
- Evidence of corrective action can still be filed but conditions will be applied uniformly by all Field Offices.

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Federal Motor Carrier Safety Administration
CSA2010
Comprehensive Safety Analysis

Safety Measurement System (SMS)

CSA 2010 Listening Session
Dallas, TX
December 4, 2007

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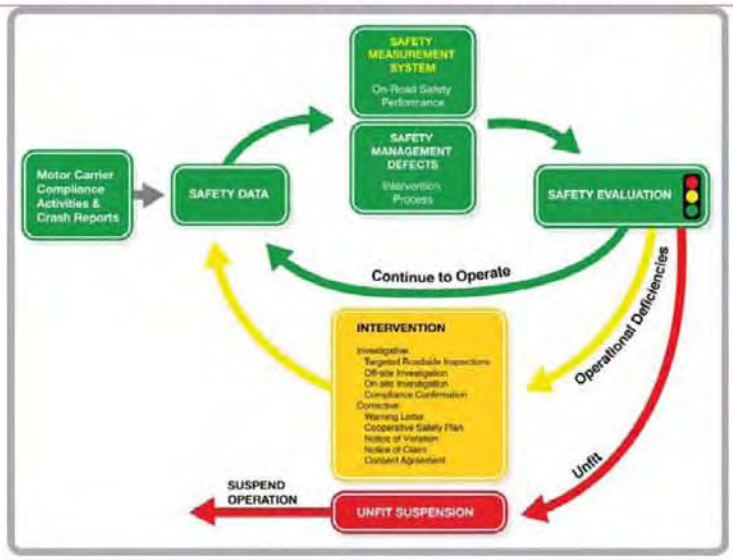
Purpose of Today's Session

- An Overview of the Uses of the CSA 2010 Safety Measurement System
- An Overview of the CSA 2010 Measurement System Design Concepts
- A Demonstration of CSA 2010 Measurement System Functionality
- Most Important:
  - An Opportunity for You to Provide Feedback

CSA 2010 Operational Model



Uses of the Safety Measurement System

Quantifies On-road Safety Performance Data to:

- Identify entities for interventions
- Determine what problems need to be addressed by the intervention process
- Monitor safety problems throughout the intervention process to determine if further action is warranted
- Support Safety Fitness Determination (SFD)
- Provide stakeholders with important information to make safety conscious decisions

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Concept of Measurement System

- Methodology designed to weight on-road safety data based on its relationship to crash risk
- Focuses on safety behaviors that lead to crashes
  - Behavioral Analysis & Safety Improvement Categories (BASICs)

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Concept of Measurement System

Behavior Analysis & Safety Improvement Categories
(BASICs)

- Unsafe Driving
- Fatigued Driving
- Driver Fitness
- Drugs/Alcohol
- Vehicle Maintenance
- Improper Loading/Cargo Issues
- Crashes

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Entities

- Two measurement systems for CSA 2010:
  - Carrier Safety Measurement System (**CSMS**)
  - Driver Safety Measurement System (**DSMS**)
  - Potential to add additional measurement systems in the future
    - HM Shipper

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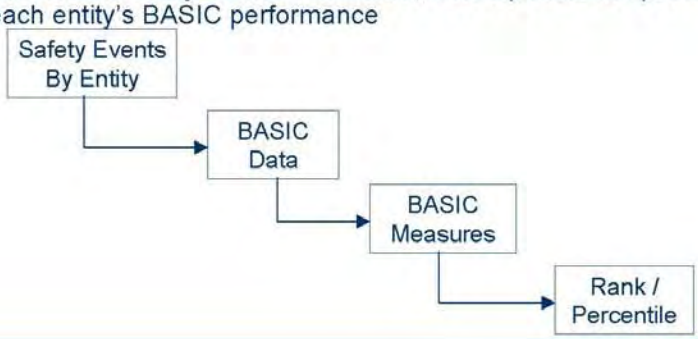
Methodology Overview

1) Obtain on-road safety event data (e.g., inspections, crashes) and attribute to entity to create a safety event history
2) Place each entity's violations/crashes into a BASIC
3) Convert BASIC data to quantifiable measure/rate
   - These are Absolute Values Proposed for Use in SFD Process
4) Based on each entity's BASIC measure, develop rank and percentile for each entity's BASIC performance



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Safety Events by Entity

- Carrier Safety Measurement System (CSMS)
  - 670 K carriers. Includes 24 months of performance data reported to Federal database
    - 6.3 Million inspection records
    - 280 K crash records
- Driver Safety Measurement System (DSMS)
  - 3.5 Million drivers
  - Includes 36 months of driver performance data from roadside inspections and crash reports
    - 9.1 Million inspection records
    - 430 K crash records

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BASIC Data

Safety Event Data Sorted by BASIC

BASIC	CSMS		DSMS	
	# Violation Occurrences	# Carriers w/ Occurrence	# Violation Occurrences	# Divers w/ Occurrence
Unsafe Driving	986,971	197,666	1,604,284	1,055,640
Driver Fatigue	1,259,948	157,398	1,941,931	888,374
Driver Fitness	377,166	167,140	785,110	606,348
Drug and Alcohol	9,396	7,027	17,253	16,058
Vehicle Maintenance	6,254,335	344,161	8,071,440	1,923,612
Improper Loading / Cargo Issues	569,613	152,922	1,031,328	679,210
	# Crashes	# Carriers w/ Crash	# Crashes	# Drivers w/ Crash
Crashes	196,372	76,912	410,846	388,416

SAFETY EVENTS → BASIC DATA → BASIC MEASURES → RANK/ PERCENTILE

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BASIC MEASURES

- Convert inspection and crash data into a quantifiable measure using the following concepts:
  - Time Weighting / Time Frame
  - Severity Weightings
    - Increase weighting of violations that have been shown to create a greater risk of crash involvement
  - Normalizing
    - Use of number of inspections and power units

SAFETY EVENTS → BASIC DATA → BASIC MEASURES → RANK/ PERCENTILE

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Rank/Percentile

- Based on each BASIC measure, develop rank and percentile indicating entity's BASIC performance
  - Provides a relative assessment of performance
  - Allows for prioritizing intervention resources by behavior
- Considerations
  - **Peer Grouping** - compare measures of entities with similar levels of exposure
  - **Data Sufficiency standards** – define events/exposure necessary to generate a robust measure
  - **SFD/Intervention standards** – define "critical mass" of poor performance necessary for inclusion of entity in intervention process or detrimental SFD

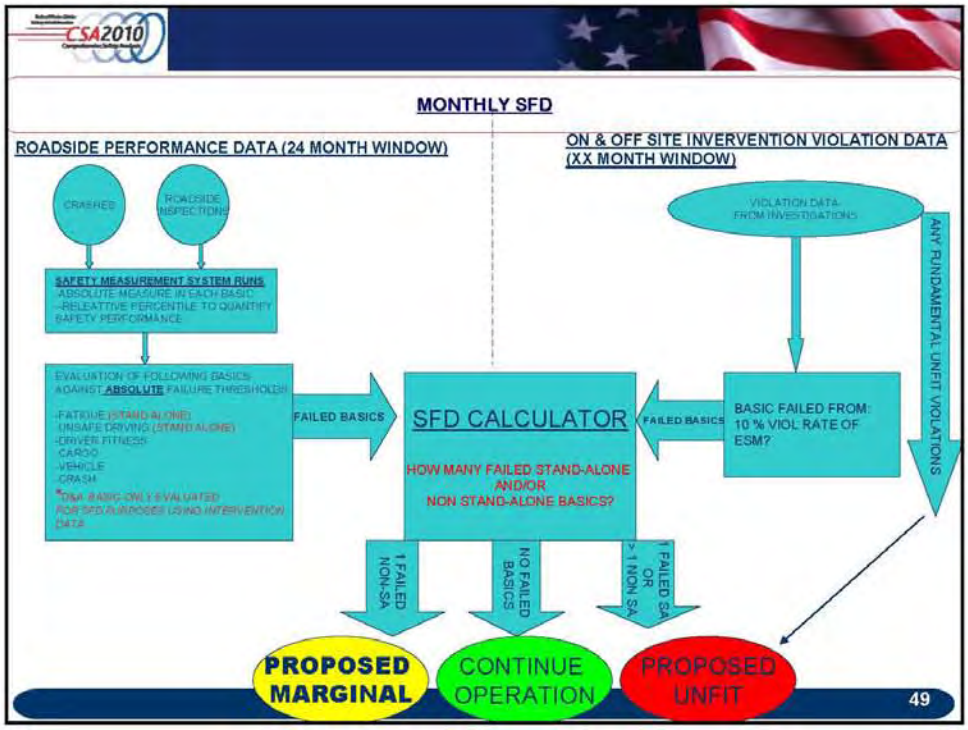
Safety Measurement System vs. SafeStat

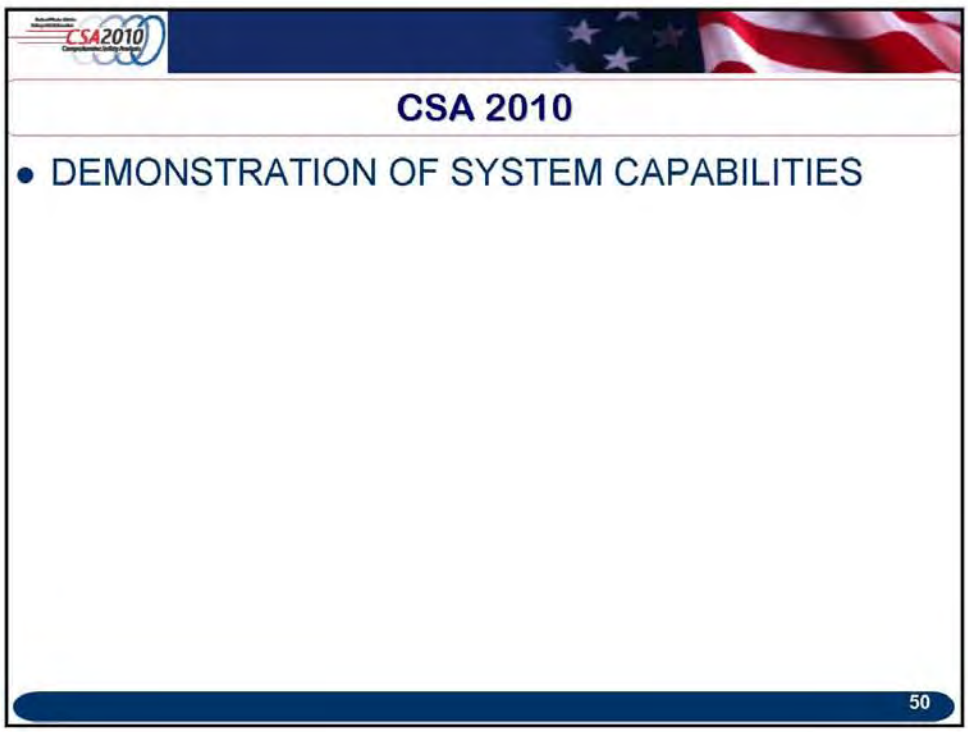
Today's Model - SafeStat

- Four Safety Evaluation Areas (SEAs)
- Only roadside out-of-service & moving violations
- SafeStat – results support prioritization of compliance reviews
- No risk-based violation weightings
- Carriers

CSA 2010

- Seven Safety Behavioral Areas (BASICs)
- All roadside safety violations
- Results determine ---
  - When to intervene
  - When to propose adverse safety fitness determination
    - Based Solely on Carriers Own Data, Not "Relative/Comparative"
- Risk-based violation weightings
- Carriers and Drivers


CSA2010
MONTHLY SFD
ROADSIDE PERFORMANCE DATA (24 MONTH WINDOW)
ON & OFF SITE INVERVENTION VIOLATION DATA (XX MONTH WINDOW)
CRASHES
ROADSIDE INSPECTIONS
VIOLATION DATA FROM INVESTIGATIONS
ANY FUNDAMENTAL UNFIT VIOLATIONS
SAFETY MEASUREMENT SYSTEM RUNS
-ABSOLUTE MEASURE IN EACH BASIC
-RELEATIVE PERCENTILE TO QUANTIFY SAFETY PERFORMANCE
EVALUATION OF FOLLOWING BASICS AGAINST ABSOLUTE FAILURE THRESHOLDS
-FATIGUE (STAND ALONE)
-UNSAFE DRIVING (STAND ALONE)
-DRIVER FITNESS
-CARGO
-VEHICLE
-CRASH
*DIM BASIC ONLY EVALUATED FOR SFD PURPOSES USING INTERVENTION DATA
FAILED BASICS
SFD CALCULATOR
HOW MANY FAILED STAND-ALONE AND/OR NON STAND-ALONE BASICS?
FAILED BASICS
BASIC FAILED FROM: 10 % VIOL RATE OF ESM?
1 FAILED NON-SA
NO FAILED BASICS
1 FAILED SA OR > 1 NON SA
PROPOSED MARGINAL
CONTINUE OPERATION
PROPOSED UNFIT
49


CSA2010
CSA 2010
• DEMONSTRATION OF SYSTEM CAPABILITIES
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Appendix D

List of Participants

APPENDIX D
List of Participants

First Name	Last Name	Company
Rob	Abbott	TransForce
Robert	Accetta	NTSB
Michael	Armes	GAO
Elaine	Briles	Dart Transit
Steve	Carson	American Airlines
Bill	Connors	Axiom Resource Management
Jason	Craig	C. H. Robinson Worldwide
Brynn	Danyluk	Freeman
Cregg	Dombrosky	Air Products & Chemicals
Jose	Elizarraraz	Southwest International Freight
J.P.	Gibbons	Northern American Transportation
Richard	Gobbell	Seaton & Husk
Philip	Hanley	Consolidated Safety Services
Anthony	Hargis	TransLogic Auto Carriers, LLC
Raymond	Henry	Atlas Enterprises Inc
Charles	Herrin	Frozen Food Express
Don	Holman	Tyson Foods, Inc.
Kip	Hough	OOIDA
Anthony	Johnson	American Airlines
Jami	Jones	Land Line Magazine
Steve	Kirby	Lisa Motor Lines
Sheree	Lewis	Schatz Publishing
C.	Maffei	Respironics
James	McCauley	Consolidated Safety Services

First Name	Last Name	Company
Jeff	McNeal	Dart Transit
Steve	Owings	Road Safe America
Alf	Papineau	Dart Transit
Julie	Perrot	National Transportation Safety Board
David	Potts	American Trucking Associations
Paul	Reamy	American Airlines
Mike	Redman	American Beverage Asso.
Stephen	Reeves	MCA, Inc
Otilio	Robledo	National Freight Inc.
Thomas	Rochte	Chemical Logistics Inc.
Dennis	Russell	Coach America
Annette	Sandberg	TranSafe Consulting
Anthony	Saraco	U.S. DOT OIG
Scott	Schumacher	LJ Kennedy Trucking Company
Henry	Seaton	Seaton & Husk, LP
Shelly	Seaton	LandStar System Inc
Lance	Shillingburg	Texas Motor Transportation Association
Ruth	Skluzacek	Iowa DOT, Motor Carrier Services
William	Syme	Cudd Energy Services
Louis	Thompson	Beaver Express
Glenna	Tinney	Axiom Resource Management
Avery	Vise	Commercial Carrier Journal
Tom	Weakley	OOIDA
Rich	Wilson	TransServices

Appendix E

Docket Comments

NRMCA™

900 Spring Street, Silver Spring, MD 20910 USA (301) 587-1400/888-84NRMCA/ FAX: (301) 587-1605

January 2, 2008

Docket Management Facility
US Department of Transportation
Docket Number: FMCSA-2004-18898
1200 New Jersey Avenue, SE
Room W12-140
Washington, DC 20590

Dear Sir or Madam:

Re: Federal Motor Carrier Safety Administration Comprehensive Safety Analysis 2010

The National Ready Mixed Concrete Association (NRMCA) was founded on December 26, 1930, and today represents one thousand three hundred (1,300) producer member companies that employ American workers who manufacture and deliver ready mixed concrete. The Association represents both national and multinational companies. NRMCA member companies operate in every congressional district in the United States. On behalf of the association and its member companies and suppliers to the industry, NRMCA welcomes the opportunity to submit comment on Docket Number FMCSA-2004-18898.

The NRMCA is pleased to see the DOT apply metrics driven data to support enforcement activities. The NRMCA views the progressive intervention process as a positive step forward. NRMCA also likes the fact that by using these metrics a company is given a warning letter when it appears they are straying from the path of safe operations. This gives the company a chance to self correct their operations before it is too late.

Please feel fee to contact me either by email dayers@nrmca.org or telephone 240-485-1155 if you have questions. Thanks and have a safe day!

Sincerely,

David Ayers, CHMM, CSP, MS
Managing Director of Compliance
National Ready Mixed Concrete Association

Appendix F

Themes of Participant Comments/Questions

Appendix F
Themes of Participant Comments/Questions

Theme	Description of Comments/Questions	Select Quotes that Represent Theme
Data Concern	• Bad Data/Bad Logs • Data Qs • Data Inconsistencies • Data Access (i.e., who will have it) • Crash Determination/Causation • Appeals • Tracking Carrier Name Changes • Tracking Driver Changes • Tracking CDL/VIN • Reporting • Other Data Systems (MCMIS, PRISM, SafeStat, etc.)	*"How bad is our data coming into the system? How will we account for this?"* *"How transparent will the carrier information be to the shipping public?"* *"When FMCSA gets data on a crash, how do you take into consideration multiple causes?"* *"How are we going to handle it when a driver goes to another carrier?"* *"Will there be any changes to record keeping?"* *"Where are you going to be getting the data?"* *"If the data is available to the public, we need to have a disclaimer included stating what it can or can not be used for."* *"Will roadside inspectors have access to driver data?"* *"How much information will insurance companies receive?"*
Drivers	• Program Inception/How Handled • Driver Data • Drivers Data Timing (i.e., 36 months) • Non-English Speakers • Driver and Carrier Relationship	*"How would you use the system for drivers (what would you do with the data)?"* *"Are you working to rate drivers?"* *"What are you going to do about the non-English speaking drivers?"* *"If you are an individual driver, how can you rectify the problems where you have failed?"* *"How can this CSA 2010 system be initiated without having the driver system in place?"* *"How long until we see what is contained in the driver portion of the system?"* *"I think keeping driver information for 36 months isn't enough. Driver information should be kept as long as they have a license. As a commercial carrier, I want to know a driver's entire driving record."* *"If you are an individual driver, how can you rectify problems where you have failed?"*

Theme	Description of Comments/Questions	Select Quotes that Represent Theme
Drugs and Alcohol	• Drugs and Alcohol Protocol • Drug Determination with Other BASICs	*"In the Federal Register, over-the-counter drugs are mentioned - how are you going to institute that when there are no tests - how are you going to determine this?"* *"Type 2 drugs – the exception to regulations says you can drive if a doctor gives you a note that says you can drive. How are you addressing this?"* *"How does a drug and alcohol conviction rate compare with what is being cited for drivers and positive tests?"* *"For two instances with controlled substance and one crash - is there a way to look to see if the crash was a result of drugs?"* *"Will there be random drug and alcohol testing?"* *"Why isn't drugs and alcohol included in the unsafe driving category?"* *"How do you assess drugs and alcohol? For instance, what about Sudafed?"* *"How does the drug and alcohol conviction rate compare with what is being cited for drivers as a positive test rate?"*
Interventions	• Roadside Inspections • Off-Site/On-Site Investigations • Warning Letters • Cooperative Safety Plan • Notice of Violations • Notice of Claim • Settlement Agreement • Citations • Out of Service • Contacts	*"How does this compare to the way FAA regulates the airline industry?"* *"Is there a difference in weighting for speeding violation at a roadside inspection vs. speeding violation that has been adjudicated?"* *"A suggestion is to require a response from the Warning Letter."* *"CSA 2010 puts the burden back on the carrier to comply and come up with a plan to rectify the issue."* *"Suggestion: Warning letter would not send a carrier into marginal status but a Notice of Violation (NOV) would. This would be the distinction."* *"Regarding onsite investigations - We are doing CSA 2010 because resources are limited. Is there a sense that onsite investigations will take less time than current Compliance Reviews?"* *"What are the threshold levels for an Intervention?"* *"What is the difference between a Warning Letter and a Notice of Violation?"*

Theme	Description of Comments/Questions	Select Quotes that Represent Theme
Operational Model (OM) Test	• Who, What, When, Where about OM Test • When Applicable for Other States • Results Published	*"What is the timetable for this? 6 months, 9 months, 1 year?"* *"Regarding the OM Test - help me understand no regulatory relief. Does that mean they will be in the current system and the OM Test system?"* *"For the OM Test, what about conditionally rated carriers…if they fall into conditional will they stay in the group?"* *"Will the results of the OM Test be published?"* *"Will carriers in the OM Test receive safety ratings?"*
SFD Methodology	• Stand Alone BASICs (Unsafe Driving and Fatigue) • Non-Stand Alone BASICs • 15 Fundamental Violations • Determining Meaning of "Yellow" Rating • Determining Meaning of One Violation • Medical Data Process	*"It is important for us to know what the basis is for making stand alone determinations - so we can understand."* *"If people are placed out of service for wrong labels, shipping papers, etc…will you need to re-classify the title Cargo Securement?"* *"If you are Unfit, is there a preventative measure?"* *"Fundamental Violations would no longer align with the North American Standard (NAS) associations?"* *"One unqualified driver (one strike), and I would get an Unfit?"* *"How do you define Fatigue?"* *"From a data roadside inspection, my SFD score could change?"* *"Marginal ratings are discriminatory toward "For Hire" carriers."*

Theme	Description of Comments/Questions	Select Quotes that Represent Theme
Types of Carriers	• Different Types Need Different Treatment • By Size (Large vs. Small) • By Geography (Region) • By Commodity (HazMat) • By Scope (Buses) • Unrated or New Carriers	*"Peer grouping should be by scope (size, commodities, and geographical area)."* *"How are unrated carriers handled in new system compared to old - those that don't have a safety rating?"* *"On SafeStat there is no differentiator between HazMat and Out of Service. SAFER breaks it out but not SafeStat. Will SMS break it out? It really needs to show up that way – please add an "H." "* *"HazMat and passenger carriers should have a higher threshold."* *"Concern on comment about HazMat and passenger carriers being held at a different threshold. I can see HazMat side, but CMVs are operating around everyone else on the highway. Category needs to be at the same level."*
Other / Need Clarification	• Miscellaneous Comments or Facts • What is in the Federal Register Notice? • What is risk? • Will it be operational in 2010?	*"Will program be operational in 2010?"* *"When are we going to see the 15 fundamental regulations and 53 essential safety management violations?"* [This information is provided in the Federal Register.] *"Are we getting back to the national preventability process?"*

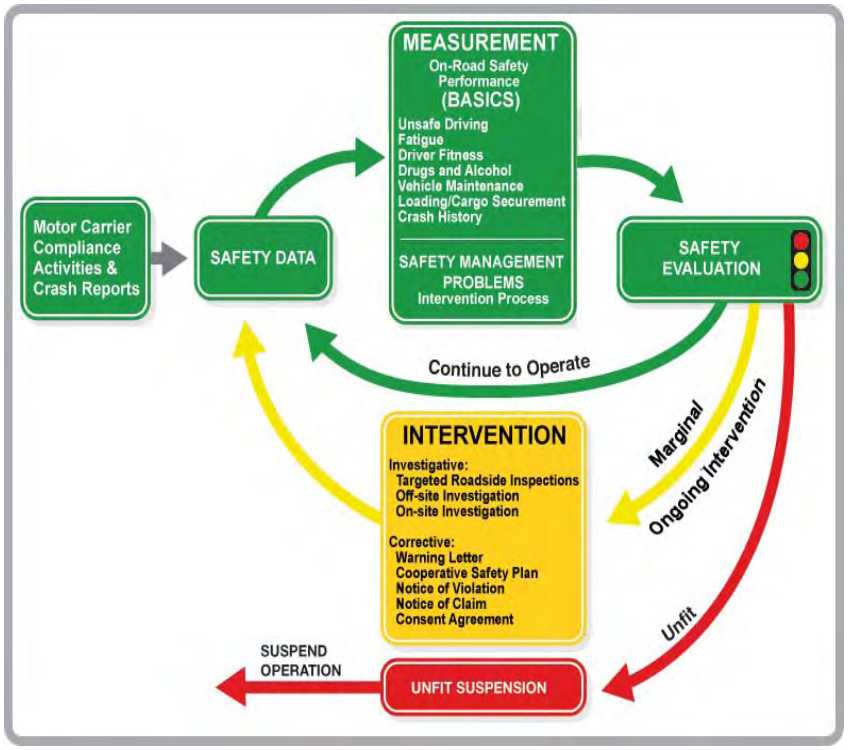
Appendix G

Listening Session Program

Comprehensive Safety Analysis
CSA 2010
Listening Session

December 4, 2007
Sheraton Arlington Hotel
Arlington, Texas

CSA 2010 Operational Model



Thank you for participating in the CSA 2010 Listening Session.

U.S. Department of Transportation
Federal Motor Carrier Safety Administration

CSA2010 Comprehensive Safety Analysis

Listening Session Agenda

8:00am – 9:00am	**REGISTRATION**	
9:00am – 10:00am	**PLENARY SESSION**	**Presenter**
	Welcome and Introduction	**Allison Gurnitz**, Coray Gurnitz - Abacus Team Facilitator
	Opening Remarks	**Rose McMurray**, FMCSA Assistant Administrator and Chief Safety Officer
	CSA 2010 Overview	**William Mahorney**, CSA 2010 Assistant Program Manager
	Breakout Session Overview	**Allison Gurnitz**, Facilitator
10:00am – 10:15am	**Break**	
10:15am – 11:45am	**BREAKOUT SESSION 1**	
11:45am – 12:15pm	**Lunch**	
12:15pm – 1:45pm	**BREAKOUT SESSION 2**	
1:45pm – 2:00pm	**Break**	
2:00pm – 3:30pm	**BREAKOUT SESSION 3**	

Docket Comments

Written Comments must be received by January 31, 2008.

You may submit comments identified by FDMS Docket ID number FMCSA-2004-18898 using any of the following methods:

Web:	http://www.regulations.gov
Fax:	202-493-2251
Mail:	Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12-140, Washington, DC 20590.
Hand Delivery:	Deliver to mail address listed above between 9:00 am and 5:00 pm, Monday through Friday, except Federal Holidays.

For more information about CSA 2010, please visit our Web site at

www.fmcsa.dot.gov/csa2010