

**IMPLEMENTATION OF
MOVING AHEAD FOR PROGRESS
IN THE 21ST CENTURY (MAP-21)
BY FMCSA**

MAP-21 is a Strong Safety Bill

The Moving Ahead for Progress in the 21st Century Act (MAP-21) provides FMCSA with important new enforcement tools to take unsafe operators off of our roads.

MAP-21 tracks FMCSA's strategic framework to improve CMV safety by supporting its three core principles:

- Raise the bar to enter the industry and operate on our roads;
- Hold motor carrier and drivers to the highest safety standards to continue operations; and
- Remove the highest risk drivers, vehicles, and carriers from our roads and prevent them from operating.

MAP-21 Includes Important Safety Provisions

MAP-21 directs FMCSA to pursue a number of important CMV safety initiatives:

- Requires a new rulemaking on electronic logging devices;
- Sets a deadline for establishing a new drug and alcohol clearinghouse for truck drivers;
- Requires FMCSA to develop standards for a system to notify employers of changes in their employees' driving status;
- Establishes new registration requirements to catch reincarnated carriers; and
- Ensures that new entrants understand the safety rules before entering the industry.

FMCSA's Authorizations Under MAP-21

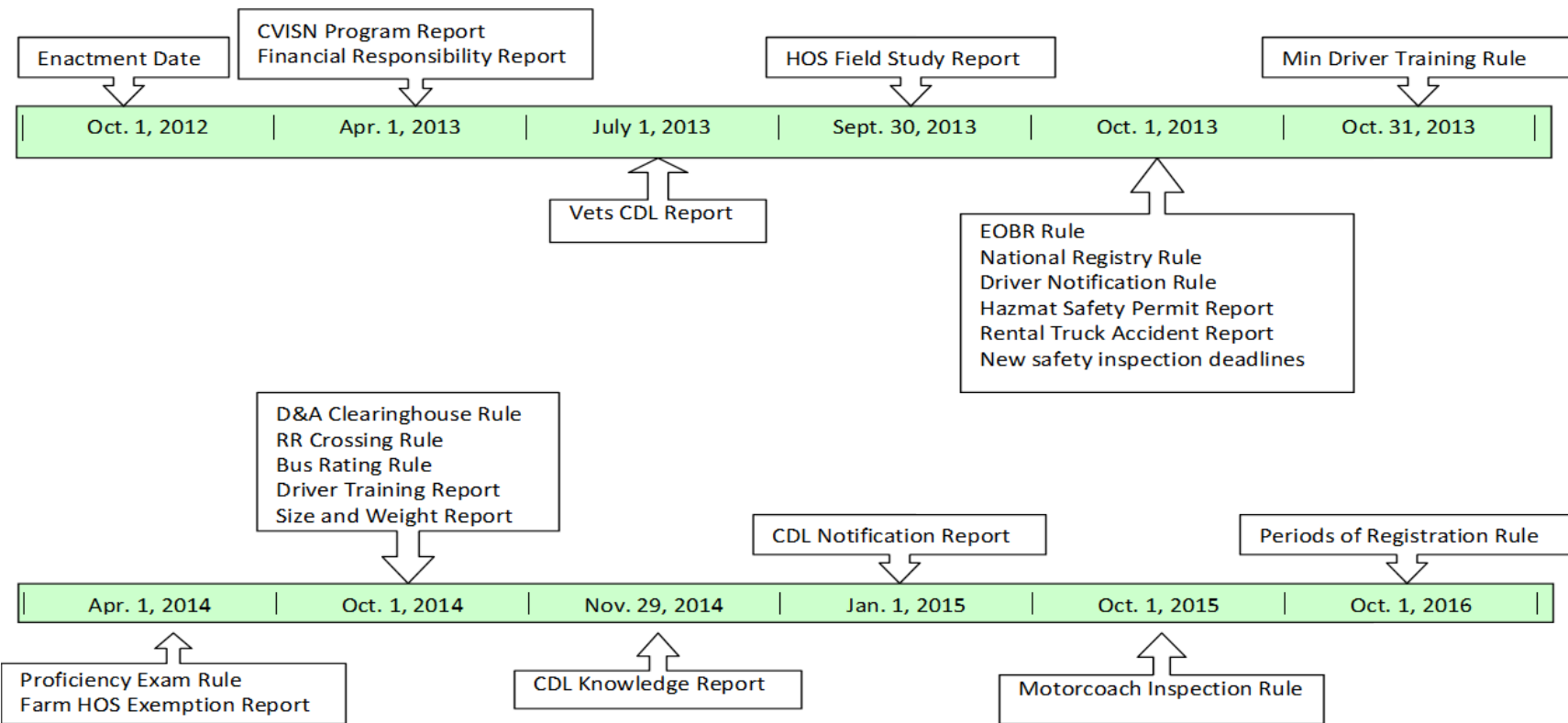
Remain Largely Flat

- Two year and three month authorization.
- Authorization levels are mostly level:
 - Administrative expenses (\$244,144,000 in FY2012)
 - \$251,000,000 for FY 2013
 - \$259,000,000 for FY 2014
 - Motor Carrier Safety Assistance Program (\$212,000,000 in FY2012)
 - \$215,000,000 for FY 2013
 - \$218,000,000 for FY 2014
 - CDL Program Implementation Grants (\$30,000,000 in FY 2012)
 - \$30,000,000 for FY 2013 and FY 2014
 - Border Enforcement Grants (\$32,000,000 in FY 2012)
 - \$32,000,000 for FY 2013 and FY 2014
 - Commercial Vehicle Information Systems and Networks Grants (\$25,000,000 for FY 2012)
 - \$25,000,000 for FY 2013 and FY 2014
 - Safety Data Improvement grant program (\$3,000,000 enacted for FY 2012)
 - \$3,000,000 for FY 2013 and FY 2014
 - New Entrant Audit program grants (\$29,000,000 enacted for FY 2012)
 - \$32,000,00 for FY 2013 and FY 2014

MAP-21 Includes a Large Number of Mandates for FMCSA to Complete

- MAP-21 directs the Agency to begin 29 new rulemakings within 27 months (which does not include rulemakings already underway by the Agency).
- This compares to 12 for FHWA; 10 for FTA; 7 for NHTSA; and 2 for PHMSA.
- MAP-21 also requires FMCSA to implement 34 programmatic changes and produce 15 reports.

Congress Set an Aggressive Schedule to Meet These Mandates



The MAP-21 Mandates Are In Addition To FMCSA's 2012 Safety Priorities

FMCSA established the following rulemakings as 2012 priorities:

- National Registry (Completed April 20, 2012)
- Electronic Recording Devices (SNPRM scheduled March 2013)
- Rules of Practice (Completed April 26, 2012)
- Patterns of Safety Violations (NPRM scheduled September 2012)
- Safety Fitness Determination (NPRM scheduled January 2013)
- Unified Registration System (Final Rule scheduled late 2012)
- Bus Leasing (NPRM scheduled March 2013)
- Drug & Alcohol Clearinghouse (NPRM scheduled late 2012)
- National Registry 2 (NPRM scheduled March 2013)
- No Defect DVIR (Final Rule published June 12, 2012)
- Reduction of Quarterly Financial Reporting (DFR completed June 27, 2012; rescinded August 27, 2012; NPRM under development)

...Though MAP-21 Mandates Overlap with Some of the Agency's 2012 Priorities

Among the 2012 priorities, MAP-21 impacts:

- EOBR (SNPRM due March 2013);
- Patterns of Safety Violations (NPRM due 2012);
- Safety Fitness Determination (NPRM due January 2013);
- Drug & Alcohol Clearinghouse (NPRM scheduled late 2012); and
- National Registry 2 (NPRM scheduled March 2013).

Examples of MAP-21 Provisions That Take Effect October 1, 2012

- Increase enforcement penalties and imminent hazard authority for unsafe property carriers including impoundment
- Improved grant standards to States for CMV-safety grants
- New authority to order the return of household goods held hostage
- Agricultural exemption provisions

FMCSA Has Nearly Completed Its SAFETEA-LU Mandates

- Patterns of Safety Violations (NPRM scheduled 2012)
- Unified Registration System (FR scheduled late 2012)
- Consumer Complaint Information (FR schedule undetermined)
- Hazmat Regulations (No action taken to date)
- Emergency Authority for Hazmat Transportation (Companion rule - pending PHMSA rule)
- Background Checks for Canada- and Mexico-Domiciled Drivers Hauling Hazardous Materials (Meeting with TSA planned in near future)
- Enhance Authority to Discover Hidden Shipments of Hazardous Material (Companion rule - pending PHMSA rule)

And It is Developing Two New Rules to Begin Implementing MAP-21

1. URS 2 Rule – Will implement new registration requirements, including new registration fee and registration requirements for brokers and freight forwarders
2. MAP-21 Omnibus Rule – Will include 16 MAP-21 provisions that are non-discretionary and self executing, like increased penalties and enhanced safety authorities

Next Steps

- Stakeholder outreach to obtain input on MAP-21 priorities – late September
- Issue agricultural exemptions notice
- Incorporate MAP-21 priorities into multi-year strategic planning
- Complete SAFETEA-LU mandates
- Educate Agency field staff and State partners on new safety authorities and responsibilities
- Update grant agreements to reflect new State reporting requirements
- Update penalty matrix to incorporate new penalty levels and penalty considerations
- Prepare two new rules: URS 2 and MAP-21 omnibus rule





“Raising the bar to safety”
-FMCSA