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**IOWA'S FISCAL YEAR 1995
STATE ENFORCEMENT PLAN**

**FOR CONTINUATION IN THE
FEDERAL HIGHWAY ADMINISTRATION**

**MOTOR CARRIER SAFETY
ASSISTANCE PROGRAM
(PUBLIC LAW 97-424)**

PREPARED BY
IOWA DEPARTMENT OF TRANSPORTATION
OFFICE OF MOTOR VEHICLE ENFORCEMENT

JULY 1994

TABLE OF CONTENTS

TOPIC

Designation of Lead Agency by Governor 1

MCSAP State Contact 2

FHWA Form MCSAP-1 (8-83) Grant Application 3

State Certification 4

Drug Certification 6

Anti-Lobbying Certificate 8

Statutory Authority 9

State Enforcement Plan for FY 95 10

Attachments:

- A. Senate File 2258
- B. Senate File 2080
- C. Map of Scales
- D. Iowa/CVSA Fine Schedules
- E. Letter Coordinating MCSAP with Section 402 Funding
- F. Iowa State Patrol Plan

Letter From State of Iowa Designating Iowa DOT as Lead Agency
In Motor Carrier Safety Assistance Program



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

STATE CAPITOL
DES MOINES, IOWA 50319

515 281-5211

September 16, 1983

Hon. Elizabeth Dole
Nassif Bldg.
400 7th Street S.W.
Washington, D.C. 20590

Dear Secretary Dole:

Thank you for your September 7 letter announcing the Motor Carrier Safety Assistance grant program. I wholeheartedly support this emphasis on improving the safety record of commercial motor vehicles. The Iowa Department of Transportation will administer Iowa's program. This agency enforces the Code of Federal Regulations on Hazardous Materials Transportation (Parts 171173, 177179) and Motor Carrier Safety (Parts 390 397) in addition to Iowa laws on Motor Fuel Tax, Certificated Carriers, Registration Reciprocity, Truck Operators, Liquid Transport Carriers, and Interstate Commerce Commission Authority of Motor Carriers.

I have asked Warren Dunham, Director of the Department to review and comment on the Notice of Program Implementation and Interim Final Rule. You will receive comments from his Department within two weeks. Please let me know if you would like more information.

Sincerely,

A handwritten signature in cursive script that reads "Terry E. Branstad".

Terry E. Branstad
Governor

TEB/jml

RECEIVED
OCT 26 1983

OFFICE OF THE GOVERNOR
AND PROGRAMS

MCSAP STATE CONTACT

NAME: MCSAP Manager, Valerie Hunter

ADDRESS: Motor Vehicle Enforcement, Iowa DOT
Park Fair Mall
100 Euclid Avenue
P.O. Box 10382
Des Moines, Iowa 50306-0382

TELEPHONE: 515-237-3218



U.S. Department
of Transportation

Federal Highway
Administration

Motor Carrier Safety Assistance Program

The IOWA DEPARTMENT OF TRANSPORTATION
(State Lead Agency)

hereby applies to the Federal Highway Administration for a Federal grant authorized in Title IV of the Surface Transportation Assistance Act of 1982 (P. L. 97-424) and subsequent amendments thereto to enhance a Commercial Motor Carrier Safety Program as described in this application.

- The State Agency plans to carry out the implementation of a Motor Carrier Safety Assistance Program during Federal fiscal year FY-95 as described in the State Enforcement Plan.
- The State Agency plans to carry out special projects of the Motor Carrier Safety Assistance Program not contained in the Basic/Supplemental grant during Federal fiscal year FY-95 as described in the attached plan.

The Federal share will not exceed 80 percent of the total participating costs, unless otherwise indicated herein, incurred in performing the effort described in the attached State Plan. The State agrees to submit vouchers for the reimbursement of funds expended.

Shirley E. Andre

(Typed Name)

Iowa Department of Transportation

(Organizational Unit)

Shirley E. Andre
(Signature)

100 Euclid Ave., P.O. Box 10382

(Address or P.O. Box)

Director, Motor Vehicle Division

(Title)

Des Moines, Iowa 50306-0382

(City, State & Zip Code)

8/30/94

(Date)

(515) 237-3202

(Phone Number)

STATE CERTIFICATION

I, Shirley E. Andre, Director, Motor Vehicle Division, Iowa Department of Transportation, on behalf of the State of Iowa, as requested by the Federal Highway Administrator as a condition of approval of a grant under the authority of Sec. 402 of the Surface Transportation Assistance Act of 1982 (Pub. L. 97-424), do hereby certify as follows:

1. The State (has adopted) (will adopt) commercial motor carrier and highway hazardous materials safety rules and regulations, which (are) (will be) substantially similar to and consistent with the Federal Motor Carrier Safety Regulations and the Federal Hazardous Materials Regulations (a copy of the existing or proposed State rules and regulations to be attached in the first year of the program).
2. The State has designated the Iowa Department of Transportation as the lead agency to administer the enforcement plan for which the grant is being awarded, and the Motor Vehicle Enforcement Office to perform functions under the plan. These agencies (have) (will have) the legal authority, resources and qualified personnel necessary for the enforcement of the State's commercial motor carrier and highway hazardous materials safety rules and regulations.
3. The State will devote such of its own funds as may be necessary to provide its matching share to the Federal assistance provided in the grant to administer the plan it is herewith submitting, and to enforce the State's commercial motor carrier safety rules and regulations in a manner to be consistent with the approved plan.
4. The laws of the State provide the State's enforcement officers right of entry and inspection sufficient to carry out the purposes of the enforcement plan as approved and provides that the State will grant maximum reciprocity for inspections conducted pursuant to the North American Standard Inspections, through the use of a nationally accepted system allowing ready identification of previously inspected commercial motor vehicles.
5. The State shall require that all reports relating to the program be submitted to the appropriate State agency or agencies, and such reports will be made available to the Federal Highway Administration upon request.
6. The State will adopt such uniform reporting requirements and use such uniform forms for record keeping, inspections, and other enforcement activities as may be established by the Federal Highway Administration.
7. The State (has) (will have) in effect a requirement that registrants of commercial motor vehicles declare knowledge of the applicable Federal or State commercial motor carrier safety rules and regulations.

8. The State will maintain the level of its expenditures for motor carrier safety programs and, if applicable, size and weight, traffic safety, and drug interdiction enforcement programs, exclusive of Federal assistance, at least at the level of its expenditures for these purposes during the last three full fiscal years immediately prior to December 18, 1991 (fiscal years 1989, 1990, and 1991).

9. The State will ensure that commercial motor vehicle size and weight enforcement, drug interdiction, and traffic enforcement activities funded under this program will not diminish the effectiveness of other commercial motor vehicle safety enforcement programs.

10. The State will ensure that fines imposed and collected by the State for violations will be reasonable and appropriate and provides that to the maximum extent practicable, will seek to implement into law and practice the recommended fine schedule published by the Commercial Vehicle Safety Alliance.

11. The State will ensure that the SEP is coordinated with the State highway safety plan under 23 U.S.C. 402 and the name of the Governor's highway safety representative (or other authorized State official) through whom coordination was accomplished is Paul H. Wieck, II.

12. The State will participate in the SAFETYNET no later than January 1, 1994.

13. The State will undertake efforts to emphasize and improve enforcement of State and local traffic laws as they pertain to commercial motor vehicle safety.

Date: August 31, 1994

Location: Des Moines, Iowa

(Signature) Shirley E. Ande

FY-91 CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988. The regulations, published in the May 25, 1990 Federal Register, require certification by grantees, prior to award, that they will maintain a drug-free workplace. Section 55.630(c) of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. The certificate set out below is a material representation of fact upon which reliance will be placed when the agency determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or government-wide suspension or debarment.

A. The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about --

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that as a condition of employment under the grant, the employee will --

- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

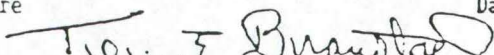
(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

SEE ATTACHMENT

Check if there are workplaces on file that are not identified here.

Organization Name	
STATE OF IOWA	
Name and Title of Authorized Representative	
TERRY E. BEANSTAD, GOVERNOR	
Signature	Date
	Sept 26, 1990

AGRICULTURE AND LAND STEWARDSHIP
Wallace State Office Building
Des Moines, IA 50319

ATTORNEY GENERAL
Hoover State Office Building
Des Moines, IA 50319

BLIND
4TH AND Keo
Des Moines, IA 50309

CAMPAIGN FINANCE DISCLOSURE
Colony Building
507 10th Street
Des Moines, IA 50309

CIVIL RIGHTS COMMISSION
211 E. Maple
Des Moines, IA 50319

COLLEGE AID COMMISSION
Jewett Building
914 Grand Avenue
Des Moines, IA 50309

COMMERCE
Lucas State Office Building
Des Moines, IA 50319

CORRECTIONS
523 E. 12th
Capitol Annex
Des Moines, IA 50319

CULTURAL AFFAIRS
Historical Building
Des Moines, IA 50319

ECONOMIC DEVELOPMENT
200 E. Grand
Des Moines, IA 50309

EDUCATION
Grimes State Office Building
Des Moines, IA 50319

ELDER AFFAIRS
Jewett Building
914 Grand Avenue
Des Moines, IA 50309

EMPLOYMENT SERVICES
1000 E. Grand
Des Moines, IA 50319

FAIR AUTHORITY
State Capitol
Des Moines, IA 50319

GENERAL SERVICES
Hoover State Office Building
Des Moines, IA 50319

HUMAN RIGHTS
Lucas State Office Building
Des Moines, IA 50319

HUMAN SERVICES
Hoover State Office Building
Des Moines, IA 50319

INSPECTIONS & APPEALS
Lucas State Office Building
Des Moines, IA 50319

LAW ENFORCEMENT (Camp Dodge)
P.O. Box 130
Johnston, IA 50131

LT. GOVERNOR
Capitol Building
Des Moines, IA 50319

MANAGEMENT
Capitol Building
Des Moines, IA 50319

NATURAL RESOURCES
Wallace State Office Building
Des Moines, IA 50319

PAROLE BOARD
523 E. 12th
Des Moines, IA 50319

PERSONNEL
Grimes State Office Building
Des Moines, IA 50319

PUBLIC EMPLOYMENT RELATIONS
BOARD
507 10th Street
Des Moines, IA 50309

PUBLIC DEFENSE
Camp Dodge
Johnston, IA 50131

PUBLIC HEALTH
Lucas State Office Building
Des Moines, IA 50319

PUBLIC SAFETY
Wallace State Office Building
Des Moines, IA 50319

REGENTS
Old Historical Building
Des Moines, IA 50319

REVENUE & FINANCE
Hoover State Office Building
Des Moines, IA 50319

SECRETARY OF STATE
Capitol Building
Des Moines, IA 50319

TRANSPORTATION
800 Lincoln Way
Ames, IA 50010

TREASURER
Capitol Building
Des Moines, IA 50319

ANTI-LOBBYING CERTIFICATE

The undersigned certifies, to the best of his or her knowledge or belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts and subcontracts under grants, loans, and cooperative agreements) which exceed \$100,000, and that all such recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Sections 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Iowa Department of Transportation
(Agency)


(Signature of Authorized Representative)

Director, Motor Vehicle Division
(Title)

August 31, 1994
(Date)

STATUTORY AUTHORITY

Administrative rulemaking procedures were initiated to adopt Title 49, Code of Federal Regulations (1993 edition), Parts 390-399, 107, 171-173, 177-178, and 180. Administrative Rule 761--Chapter 520 will become effective November 2, 1994.

During the second half of the 75th General Assembly, we proposed legislation to eliminate the driver requirements exemption for a driver of a private carrier, who is not for hire, and who is engaged exclusively in intrastate commerce, when the driver's commercial vehicle is not operated more than 100 miles from the driver's work reporting location.

Senate File 2258 (Attachment A) was introduced by the Committee on Transportation on March 3, 1994. It was placed on the debate calendar. Seven amendments were filed and on March 28, 1994, it was referred back to the Transportation Committee. The bill never resurfaced.

The Iowa legislature passed Senate File 2080, (Attachment B) which amended Iowa Code Section 321.450 extending the use of non-specification cargo tanks (4,000 gallons or less) in intrastate commerce, until July 1, 1996.

STATE ENFORCEMENT PLAN - FY 1995
MOTOR VEHICLE ENFORCEMENT

I. Status of Operation of Commercial Motor Carriers in Iowa:

Because commercial vehicle accident data is available only through August 15, 1993, we cannot determine if commercial vehicle accidents increased or decreased during calendar year 1993.

Below are the number, frequency (rate), and severity of commercial vehicle accidents:

	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>
Number of commercial vehicle accidents	3,976	3,681	*1,951	Not Available
**Commercial vehicle accident rate (per million miles)	1.34	1.23	*	Not Available
Fatal accidents	73	52	* 23	Not Available
Injury accidents	1,072	1,038	* 565	Not Available
Property damage accidents	2,931	2,591	*1,363	Not Available

*Preliminary data collected through August 15, 1993.

**Commercial vehicle includes straight trucks weighing 10,000 pounds or more, truck tractors, and truck tractors with semi-trailers.

A. Personnel

Our estimated staff for FY 1995, including titles, average salaries, and percentages of time to be spent in MCSAP, are shown on the following page.

Motor Vehicle Enforcement Staffing
Projected For Fiscal Year 1995

<u>Title</u>	<u>No. of Persons</u>	<u>Type</u>	<u>*Average Salary</u>	<u>% of Time Spent In MCSAP</u>	<u>Full-Time Equivalent</u>
MVE Officer 1 & 2 (Inspections)	85	D	\$22.80	.2189	18.6065
MVE Officer 1 & 2 (Compliance Reviews)	4	D	22.80	.4452	1.7809
MVE Officer 1 & 2 (Surveillance)	85	D	22.80	.0024	.2040
Captain	7	A/S	29.40	.1120	.7840
MCSAP Program Manager	1	A/A	29.13	1.0000	1.0000
Haz. Mat. Coordinator	1	A/A	26.79	1.0000	1.0000
Compliance Review Coord.	1	A/A	30.57	.2473	.2473
Training Officer	1	A/A	27.51	.1130	.1130
Clerical (Data Entry)	2	A/C	16.19	2.0000	2.0000
Accounting Technician	1	A/T	19.89	.1427	.1427
Data Processing	1	A/T	31.59	.6360	.6360
				<u>5.9175</u>	<u>26.5144</u>

*Based on 1,415 hours productivity per person per year.

Definition of symbols under "Type":

- D = Direct Activity
- A/S = Administrative Supervisory
- A/A = Administrative Activity
- A/C = Administrative Clerical
- A/T = Administrative Technical

B. Facilities Used

Iowa will utilize permanent scale location sites for safety inspections. Also used on an occasional basis are maintenance garage facilities, as well as areas where the vehicle could be removed from the traveled way for optimum safety.

Iowa has 33 weigh scales located across the state. Fourteen of the scale facilities are located on the primary road systems and 19 scales are located on the interstate system. (See Attachment C)

C. Equipment Utilized

All enforcement officers have vehicles equipped with communications equipment. Radio units provide enforcement officers with three sources of telecommunications. They may communicate with other DOT enforcement officers through their own Motor Vehicle Enforcement frequency; they may communicate with the Iowa State Patrol on the Department of Public Safety

Base communication system; or they may communicate with all state, city and county officials on the Law Enforcement Assistance (LEA) frequency. LEA's transmissions can be broadcasted on repeater stations located throughout the state.

D. Impaired Drivers

All officers are equipped with preliminary breath testers (PBTs) which indicates whether the violator will be taken to a breathalyzer/intoxilizer for a breath sample admissible in court. If a measurable amount is detected, the officer will process the driver in accordance with federal regulations and state law.

E. Number of Vehicles Inspected

Below is a list of the year and number of driver/vehicle inspections completed:

Year	Number of Inspections				Total
	Level 1	Level 2	Level 3	Level 4	
*1981	17,824				17,824
*1982	14,214				14,214
1983	15,243				15,243
1984	13,827				13,827
1985	17,883				17,883
1986	17,723				17,723
1987	21,323				21,323
**1988	20,660	6,797	1,250	0	28,707
1989	19,446	7,574	4,370	0	31,390
1990	19,495	9,357	8,273	0	37,125

<u>Year</u>	<u>Number of Inspections</u>				
	Level 1	Level 2	Level 3	Level 4	Total
1991	19,807	13,777	3,747	0	37,331
1992	17,549	14,952	3,155	0	35,656
1993	12,426	20,241	13,246	0	45,913
1994	12,000	15,000	13,000	0	40,000 (estimate)

*Indicates base year.

**Began recording data by inspection levels.

F. Compliance Reviews

Iowa will conduct 27 interstate compliance reviews during Fiscal Year 1995. We will utilize Federal Compliance Review (CR) Forms. The completed CR Forms will be forwarded to the Office of Motor Carriers, Ames, Iowa, for their review and disposition.

We will select carriers from a listing provided by the Office of Motor Carriers.

Four part-time Compliance Review Officers will perform the compliance reviews. In addition, they will be responsible for drafting civil laws relevant to the compliance review program.

Below is a cost estimate for the 1995 compliance review program:

Training

4 Officers x 48 hours (40-hour course plus 8 hours travel)
= 192 hours x \$22.80 salary = \$4,377.60

Motel, meal and lodging expenses for 4 officers
= \$867.00

Compliance Reviews

21 interstate compliance reviews x 120 hours review time and travel time = 2,520 hours x \$22.80 salary = \$57,456.00

315 days meals reimbursement x \$17.75 = \$5,591.25

315 nights motels @ \$32.00 = \$10,080.00

Total Cost Compliance Review Program = \$78,371.85

G. Hazardous Materials Enforcement

A review of hazardous materials enforcement for 1992 and 1993 shows an 18% increase in vehicles and a 52% increase in drivers being placed out of service. Also, a 30% increase in hazardous materials inspections has occurred since Iowa's expansion of our hazardous materials program.

Below are the statistics reviewed:

<u>Year</u>	<u>Level 1 & 2 Inspections</u>	<u>Vehicles Placed OOS</u>	<u>Drivers Placed OOS</u>	<u>Total Violations</u>
1993	1,579 (+30%)	453 (+18%)	76 (+52%)	3,966 (+59%)
1992	1,230	384	50	2,487

The increased detection of hazardous materials violations is the result of hiring a full-time Hazardous Materials Coordinator and two full-time Hazardous Materials Officers specializing in cargo tank and non-bulk package enforcement.

This core group of individuals provides technical support and additional training for all officers across the state. They also provide technical assistance to industry officials concerning complex hazardous materials issues.

During FY 95 our Hazardous Materials Coordinator will continue to schedule concentrated checks away from interstate locations to maximize the impact on drivers/vehicles bypassing scales and avoiding inspections.

Our Hazardous Materials Coordinator will continue to review and comment on all federal and state proposed hazardous materials regulations. Updates on all legislative hazardous materials regulatory changes will be reviewed with all officers.

Iowa will be represented by our Hazardous Materials Coordinator at all COHMED, Hazardous Materials Tag Team and CVSA Hazardous Materials Committee Meetings.

One of our two Hazardous Materials Officers will be certified to instruct the CVSA-approved Cargo Tank Enforcement Course, and the other Officer will re-certify and instruct the Basic Hazardous Materials Course.

During FY 95 we will conduct 2,000 Level 1 and 600 Level 2 hazardous materials inspections.

Hazardous Materials Training Expenses

All officers will attend a two-day hazardous materials refresher course (eight hours of regulations review and eight hours of hands-on inspection) under the guidance of one of our Hazardous Materials Officers.

In addition, our new officers will attend the Basic Hazardous Materials Course and the Cargo Tank Enforcement Course.

Below are the expenses associated with hazardous materials training. A detailed breakdown is shown in the attached budget.

Hazardous Materials Refresher (Two days plus 4 hours of travel)	
Salaries	\$34,300.80
Travel/Meals/Lodging	\$ 5,826.00
Hazardous Materials Compliance and Enforcement (One week plus 8 hours of travel)	
Salaries	\$ 8,937.60
Travel/Meals/Lodging	\$ 2,388.00
Hazardous Materials Instructor Recertification (One week plus 8 hours of travel)	
Salary	\$ 1,179.92
Travel/Meals/Lodging	\$ 0
Cargo Tank Enforcement (One week plus 8 hours of travel)	
Salaries	\$ 9,439.36
Travel/Meals/Lodging	\$ 2,388.00
Cargo Tank Instructor Certification (One week plus 8 hours of travel)	
Salary	\$ 1,179.92
Travel/Meals/Lodging	\$ 0
 TOTAL HAZARDOUS MATERIALS TRAINING	 \$65,639.60

H. Maintenance of Effort -- \$148,500

II. Problem Identification

A. Commercial Vehicle Inspections

A comparison of the inspections completed during the first three quarters of Fiscal Year 1993 and 1994 shows:

	<u>F.Y. 93</u>	<u>F.Y. 94</u>
Inspections completed, Level 1, 2 & 3	35,467	34,194
Vehicle violations found	47,266	54,744
Driver violations found	19,964	24,268
Vehicles placed out of service	5,694	6,790
Drivers placed out of service	3,490	4,148

The main emphasis of Iowa's participation in the Motor Carrier Safety Assistance Program during Fiscal Year 1995 will be to continue to identify defective equipment, driver deficiencies, and unsafe motor carrier practices. In order to do so, Iowa must continue and improve its statewide inspection program of enforcing uniform motor carrier safety and hazardous materials regulations for both inter and intrastate motor carriers.

As Iowa's enforcement program consists of over 50 percent patrol and scale bypass operations, and as driver fatigue is considered a major cause of many commercial vehicle accidents, we propose to do three levels of inspection. Level 1 (full inspections) will be completed unless the inspection site is inadequate or inclement weather exists. Included in a level 1 inspection are items 1 through 20 listed below. A level 2 inspection (driver/vehicle walk-around) will be completed when an officer is unable to crawl under the vehicle safely. Included in a level 2 inspection are items 1 through 19. A level 3 inspection (driver-only) will be completed when an enforcement officer is inspecting only driver requirements. A level 3 inspection will include items 1 through 5.

Listed below are inspection items:

1. Driver license
2. Medical card
3. Logbook
4. Shipping papers (for hazardous materials or logbook violations)
5. Seat belt usage
6. Low air brake warning device
7. Headlights
8. Taillights
9. Turn signals
10. Wheels/lugs/tires
11. Suspension
12. Coupling devices

13. Obvious brake problems
14. Cargo securement
15. Fuel system
16. Emergency warning equipment/fire extinguisher
17. Window/windshield wipers
18. Horn
19. Headerboard/rear-end protection
20. Brake push-rod travel measurements

Inspections will be reported by level. A Level 1 inspection will take approximately 1 hour (including inspection and citation preparation time). A Level 2 inspection will take approximately 40 minutes. A Level 3 inspection will take approximately 20 minutes.

Data entry and preparation per inspection will average 3 minutes each (plus 3 minutes per citation/entry). Disposition of inspections/citations and filing/handling takes approximately 1 minute each.

B. Buses

Calendar years 1991 and 1992 show buses were involved in approximately 6.4% of the commercial motor vehicle accidents in Iowa. This is an increase of .5 percent over calendar years 1989 and 1990.

Below is a comparison of truck/bus accident data:

<u>Year</u>	<u>*CMV Accidents</u>	<u>Bus Accidents</u>	<u>Total CMV Accidents</u>	<u>% Involving Buses</u>
1987	3,714	185	3,899	4.7%
1988	3,228	200	3,428	5.8%
1989	3,948	217	4,165	5.2%
1990	4,021	286	4,307	6.6%
1991	3,976	265	4,241	6.2%
1992	3,681	264	3,945	6.6%

*Straight Truck, Truck-Tractor, Semi-Trailer, Double Bottoms

Iowa is concerned about public safety involving bus transportation. We are equally concerned about delays and personal safety of passengers.

During FY95, we will assist the Office of Motor Carriers in conducting bus inspections arranged by the Office of Motor Carriers. We will observe the pre-planning process and evaluate the effectiveness of pre-arranged inspections.

Upon availability, we will seek CVSA-certified bus inspection training for officers strategically located across the state for future involvement in bus inspection activities.

C. Reinspection

During Fiscal Year 1995, Iowa will reinspect 476 vehicles that are placed out of service. This is approximately 10 percent of the 4,763 level 1 out-of-service vehicles found during Fiscal Year 1993.

The purpose of the inspection repair verification (reinspection) program is to reduce the safety risk associated with the continued operation of vehicles placed out-of-service and to insure that defects are properly repaired.

The reinspection process will be conducted on out-of-service violation items by the officer who performed the original inspection. The officer will note on the inspection form that a reinspection occurred, identifying repairs that were made.

D. Surveillance

During Fiscal Year 1995, we will conduct a surveillance operation to assure drivers are not leaving inspection sites before making necessary corrections/repairs when inspection personnel are no longer present. To conduct the surveillance, we will follow the Commercial Vehicle Safety Alliance's recommended covert operation procedures, which will include:

1. Close the inspection site.
2. Position an officer at a strategically located, concealed position some distance from the inspection site, which may include using an unmarked enforcement vehicle to prevent the possibility of identification by other commercial vehicle drivers and the relay by CB of that information to the driver being observed. The officer surveilling the driver(s)/vehicle(s) will have a copy of the inspection(s) performed on the out-of-service driver(s)/vehicle(s) remaining at the site at the time of closure.
3. Vehicles observed operating on the public highway within 1 or 2 hours after closing the site should be stopped. The driver/ vehicle will be checked to ascertain if the out-of-service violations have been corrected/repaired.
4. Out-of-service violations that have not been corrected/repaired will subject the driver to possible arrest and/or corresponding penalties.

A total of 300 hours will be utilized for surveillance activities, of which some may be conducted on an overtime basis. Below are the costs associated with this activity:

300 hours x \$22.80 = \$6,840.00

E. Concentrated Cargo Tank Checks

Each District will conduct at least two concentrated cargo tank checks to enhance our hazardous materials inspection program. The checks will occur in the Cedar Rapids, Des Moines, Council Bluffs and Sioux City areas. The major priority of this activity based on the availability on cargo tanks will be cargo tanks first, then other HM vehicles, and last, other commercial motor vehicles. In addition, four two-day hazardous materials checks will be scheduled throughout the state.

F. SAFETYNET

In an effort to upload more timely inspection data into SAFETYNET, we are developing software for our officers to electronically capture inspection and citation information. The inspection and citation programs will be two of four components of Iowa's Officer Information Management System (OIMS). An accident report form has been developed and an OWI consent form will be implemented.

Equipment utilized for this project will be pen-based. Officers will daily or weekly (yet to be determined) transmit their inspection data into a host location (most probably a scale facility). The inspections will then be uploaded to Iowa's mainframe inspection data base.

Our goal is to implement this procedure with all MVE officers.

G. Driver Waiver Program

In January of 1994, Jane Holtorf was appointed as our Driver Waiver Coordinator. As planned, she attended the first Handicapped Driver Waiver Course that became available through the Office of Motor Carriers on July 18-22, 1994.

Administrative rules are being developed to implement processing and evaluating interstate commercial driver license applications for Iowa residents only.

In addition to developing the Interstate Driver Waiver Program administrative rules, she will disburse application packages, prescreen factorial analyses and perform a driver waiver analysis matrix upon completion of the skill performance evaluation.

Upon implementation of the Administrative Rules and completion of the Handicapped Driver Waiver Course, the Senior Driver License Examiners will be responsible for conducting the pre-trip portion of the testing and evaluating the skill performance evaluation.

All records pertaining to the driver waiver process will be maintained by the Driver Waiver Coordinator.

Training salaries, travel, meals and lodging associated with the Handicapped Driver Waiver Course will be utilized from MCSAP roll-over funds designated but not expended in Federal Fiscal Year 1994.

Administrative funds allocated for the Driver Waiver Coordinator to develop an Iowa Interstate Driver Waiver Program will also be rolled over from FFY 1994.

III. Problem Solution

A. Mission Statement

The mission of this program is to promote compliance with national uniform safety standards for all types of commercial motor carriers and to provide a basis for improving carriers with poor safety performance.

B. Objective

The objective in implementing the Iowa State Enforcement Plan is to reduce the number and severity of accidents and hazardous materials incidents involving commercial vehicles by increasing the detection and correction of safety defects, driver deficiencies and unsafe motor carrier practices.

In order to meet this objective, short-, medium- and long-range goals have been established by Iowa.

Short-range goals include:

1. To continue a three-level inspection program.
2. To perform inspection verifications and surveillance to assure out-of-service vehicle defects are repaired before a driver and vehicle continue down the road.
3. To conduct interstate carrier compliance reviews.
4. To provide training for enforcement personnel on current commercial motor vehicle and hazardous materials inspection procedures.
5. To continue collecting accident data from our mainframe data base and integrate it with the SAFETYNET nationwide accident data base on motor vehicle carriers.
6. To conduct interstate driver waivers.

Medium-range goal:

1. To implement a laptop software program for officers to record inspections directly into a laptop computer and transmit the data directly to the mainframe.

Long-range goal:

1. To increase Motor Vehicle Enforcement's officer staffing levels to accommodate adding an intrastate Compliance Review Program.
2. To develop a civil penalty structure for shippers and motor carriers found in violation of the motor carrier safety regulations as part of our Compliance Review Program.
3. To revise Iowa's penalty structure to be commensurate with the seriousness of the hazardous materials violation.
4. As Iowa will become a major corridor state for movement of radioactive materials beginning in the mid- to late 90's, we will increase training and enforcement for these types of commodities.

IV. Projected Activities

- A. Projected number of level 1 inspections: 14,000 (14,000 hours)
(of which 2,000 will be hazardous materials inspections)

Estimated number of level 1 inspections (1 hour)
to be performed per quarter:

First quarter -- 2,500
Second quarter -- 2,500
Third quarter -- 4,500
Fourth quarter -- 4,500

- B. Projected number of level 2 inspections: 12,000 (8,000 hours)
(of which 600 will be hazardous materials inspections)

Estimated number of level 2 inspections (40 minutes)
to be performed per quarter:

First quarter -- 3,500
Second quarter -- 2,500
Third quarter -- 2,500
Fourth quarter -- 3,500

C. Projected number of level 3 inspections: 13,000 (4,333 hours)
Estimated number of level 3 inspections (20 minutes) to be performed
per quarter:

First quarter -- 4,000
Second quarter -- 5,000
Third quarter -- 2,000
Fourth quarter -- 2,000

(Iowa performs inspections on a 24-hour schedule.)

D. Projected hours devoted to inspection
training and instruction: (4,976 hours)

(Includes 192 hours of pre-course work,
travel and homework)

E. Projected hours devoted to data entry
of inspections/citations, notation of
returns, and filing (3,900 hours)

MCSAP BUDGET
 (INCLUDING MAINTENANCE OF EFFORT COST)
 FISCAL YEAR 1995

AGENCY: Iowa DOT

1. PERSONNEL

EMPLOYEE TITLE	NUMBER OF EMPLOY	PERCENTAGE OF TIME DEDICATED TO MCSAP	SALARY/ HOUR	EMPLOYEE FRINGE BENEFITS	TOTAL HOURS	TOTAL DOLLARS
MVE Officer-Insp.	85	00.2189%	\$19.03	3.77	26,333	\$600,392.40
MVE Officer-CR	4	.4452	19.03	3.77	2,520	57,456.00
MVE Officer-Surv.	85	.0024	19.03	3.77	300	6,840.00
MVE Captain	7	00.1120	24.90	4.50	1,110	32,634.00
MCSAP Manager	1	100.0000	25.18	3.95	1,415	41,218.95
Haz. Mat. Coord.	1	100.0000	23.06	3.73	1,415	37,907.85
Compli. Review Coord.	1	00.2473	26.49	4.08	350	10,699.50
Training Officer	1	00.1130	23.71	3.80	160	4,401.60
Clerical-Data Entry	2	100.0000	13.42	2.77	2,830	45,817.70
Accounting Tech.	1	00.1427	16.79	3.10	202	4,017.78
Data Proc. Support	1	00.6360	27.42	4.17	900	28,431.00

TOTAL PERSONNEL

\$869,816.78

Percentage of time based on 1,415 hours of productivity per person.

Does not include a 2% increase for January, 1995 - September, 1995.

2. TRAINING

(Training includes attendee salaries only. Classrooms and instructor salaries are listed under the travel and per diem category.)

COURSE DESCRIPTION	NUMBER OF EMPLOYEES TO BE TRAINED	ESTIMATED TRAINING HOURS	TRAINING COST
<u>Inspections</u>			
Basic Academy (at a rate of 22% MCSAP participation)	3	400 = 1,200	\$ 27,360.00 x 22% \$6,019.20
North American Standard Inspection (3 officers)	3	80 = 240	\$ 5,472.00
(Overtime hours for travel)	3	8 = 24	803.76 \$ 6,275.76
North American Standard Refresher (2 days)	85	16 = 1,360	\$ 31,008.00
(85 officers and 7 captains)	7	16 = 112	3,292.80 \$ 34,300.80
North American Standard Instructor Recertification	2	40 = 80	\$ 1,824.00
(1 week plus 8 hours travel time)	2	8 = 16	535.84 \$ 2,359.84
North American Standard Associate Staff Training	2	200 = 400	\$ 9,120.00
(5 weeks out of state to train other officers)			
Hazardous Materials Compliance and Enforcement (8 officers)	8	40 = 320	\$ 7,296.00
(Overtime hours for travel)	8	9 = 72	2,411.28 \$ 9,707.28
Hazardous Materials Refresher	85	16 = 1,360	\$ 31,008.00
(85 officers, 7 captains)	7	16 = 112	3,292.80 \$ 34,300.80
Hazardous Materials Instructor Recertification (1 week and 8 hours travel)	1	40 = 40	\$ 912.00
	1	8 = 8	267.92 \$ 1,179.92
Hazardous Materials Associate Staff Training (5 weeks out of state to train other officers)	1	200 = 200	\$ 4,560.00

Cargo Tank Enforcement (8 officers - 1 week and 8 hours travel)	8	40 =	320	\$ 7,296.00
	8	8 =	64	\$ 2,143.36
				\$ 9,439.36
Cargo Tank Instructor Certification (1 week plus 8 hours travel)	1	40 =	40	912.00
	1	8 =	8	267.92
				\$ 1,179.92
Cargo Tank Associate Staff Training (5 weeks out of state to train other officers)	1	200 =	200	\$ 4,560.00

Sub-Total Inspection Training \$123,002.88

Compliance Reviews

Compliance Review Course (1 week plus 8 hours travel)	4	48 =	192	\$ 4,377.60
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Sub-Total Compliance Review Training \$ 4,377.60

TOTAL TRAINING \$127,380.48

3. TRAVEL AND PER DIEM EXPENSE

(Includes travel, meals, motel, classrooms, instructor fees, etc., expenses for inspection activities, concentrated checks, carrier compliance reviews, training programs, conferences and memberships.)

Training

Inspections

Basic Academy

Academy fee of \$1,350 per person includes lodging and school supplies x 3 persons =	\$ 4,050.00
Meals--\$370.50 (10 weeks) x 3 persons =	1,111.50
	\$ 5,161.50
	X 22%
	\$ 1,135.53

North American Standard Inspection Course

State vehicle--3 @ \$150.00 each =	450.00
Motel--3 officers x 12 nights = 36 (\$45/night)	\$ 1,620.00
Meals--3 persons x 12 days = 36 days	1,080.00
x \$30 (estimated out-of-state rate)	\$ 3,150.00

North American Standard Refresher	
Motel--40 persons x 2 nights =	\$ 2,560.00
80 nights x \$32/night =	
Meals--92 persons x 2 days = 184 days x \$17.75/day	<u>\$ 3,266.00</u>
	\$ 5,826.00
North American Instructor Recertification (All meals and lodging paid by TSI)	0
North American Standard Associate Staff Training (All meals and lodging paid by TSI)	0
Hazardous Materials Compliance & Enforcement	
Motel--8 persons x 6 nights = 48 nights x	
\$32/night =	\$ 1,536.00
Meals--8 persons x 6 days = 48 days x \$17.75/day =	<u>852.00</u>
	\$ 2,388.00
Hazardous Materials Refresher	
Motel--40 persons x 2 nights = 80 nights x \$32	\$ 2,560.00
Meals--92 persons x 2 days = 184 days x \$17.75/day	<u>\$ 3,266.00</u>
	\$ 5,826.00
Hazardous Materials Instructor Recertification (All meals and lodging paid by TSI)	0
Hazardous Materials Associate Staff Training (all meals and lodging paid by TSI)	0
Cargo Tank Compliance & Enforcement Course	
Motel--8 persons x 6 nights = 48 nights x	
\$32/night =	\$ 1,536.00
Meals--8 persons x 6 days = 48 days x \$17.75/day =	<u>852.00</u>
	\$ 2,388.00
Cargo Tank Instructor Certification (all meals and lodging paid by TSI)	0
Cargo Tank Associate Staff Training (all meals and lodging paid by TSI)	0
Sub-Total Inspection Training	\$ 20,713.53
<u>Compliance Reviews</u>	
Compliance Review Course	
Motel--4 persons x 4 nights = 16 nights x \$32 =	\$ 512.00
Meals--4 persons x 5 days = 20 days x \$17.75 =	<u>355.00</u>
	\$ 867.00
Sub-Total Compliance Review Training	\$ 867.00

Inspections

Concentrated Inspection Checks

Motel--85 officers x 2 nights = 170 nights x \$32/night	\$ 5,440.00
Meals--170 days x \$17.75/day	<u>3,017.50</u>
	\$ 8,457.50
Motel--7 Captains, 1 MCSAP Manager	
8 persons x 4 nights	
32 nights x \$32/night	\$ 1,024.00
Meals--32 days x \$17.75/day	<u>568.00</u>
	\$ 1,592.00
Inspection Vehicle Mileage Reimbursement	<u>\$ 90,000.00</u>
Sub-Total Inspections Per Diem	\$ 100,049.50

Compliance Reviews

Compliance Review motel--315 nights x \$32/night	\$ 10,080.00
Meals--315 days x \$17.75/day	<u>5,591.25</u>
Sub-Total Compliance Reviews Per Diem	\$ 15,671.25

Conferences

Dues--Commercial Vehicle Safety Alliance	\$ 3,750.00
CVSA Fall Conference	
Motel--4 persons x 5 nights = 20 nights	
x \$100/night	\$ 2,000.00
Meals--4 x 6 days = 24 days x \$30/day	720.00
Registration--4 x \$225	900.00
Air fare--4 x \$700	2,800.00
Ground transportation--4 x \$50	<u>200.00</u>
	\$ 6,620.00
CVSA Committee Meetings/Workshops	
Motel--4 persons x 5 nights = 20 nights @ \$100	\$ 2,000.00
Meals--4 x 5 days = 20 days x \$30/day	600.00
Air fare--4 persons x \$700	2,800.00
Registration fees--4 @ \$225	900.00
Ground transportation--4 x \$50	<u>200.00</u>
	\$ 6,500.00

Cooperative Hazardous Materials Enforcement and Development (COHMED) Annual Conference (1 HM Coordinator)	
Motel--1 person x 5 nights = 5 nights x \$100/night	\$ 500.00
Meals--1 x 6 days = 6 days x \$30/day	180.00
Registration--1 x \$225	225.00
Air fare--1 x \$700	700.00
Ground transportation--1 x \$50	<u>50.00</u>
	1,655.00
COHMED Spring Conference (same as above)	\$ 1,655.00
TAG Team Conferences/Training--T. Sever	
Motel--5 nights x \$100/night	\$ 500.00
Meals--5 days x \$30/day	150.00
Air fare	700.00
Ground transportation	<u>50.00</u>
	\$ 1,400.00
Two trips	<u>x 2</u>
	\$ 2,800.00
CHALLENGE '95 (New Orleans) (1 officer)	
Motel--1 person x 5 nights = 5 nights x \$100/night =	\$ 500.00
Meals--1 person x 6 days x \$30/day =	180.00
Registration--1 x \$225 =	225.00
Air fare--1 x \$700 =	700.00
Ground transportation--1 x \$50 =	<u>50.00</u>
	\$ 1,655.00
MCSAP Grant Agreement Pre-Planning Meeting	
Motel--1 person x 3 nights x \$75	\$ 225.00
Meals--3 days @ \$30/day	90.00
Airline/personal car	<u>300.00</u>
	\$ 615.00
SAFETYNET Users Workshop	
Motel--2 persons x 5 nights = 10 nights @ \$100/night	\$ 1,000.00
Meals--2 x 5 days = 10 days x \$30/day	300.00
Air fare--2 persons x \$700 each	1,400.00
Registration--2 persons x \$225	450.00
Ground transportation--2 x \$50	<u>100.00</u>
	\$ 3,250.00
Sub-Total Conferences	<u>\$ 28,500.00</u>
TOTAL TRAVEL/PER DIEM	\$165,801.28

4. EQUIPMENT

Expendable 0

Other Expendable Equipment

CFR 49, parts 100-177, 100 copies @ \$22.50 each	2,250.00
CFR 49, parts 178-199, 100 copies @ \$15.00 each	1,500.00
CFR 49, parts 200-399, 100 copies @ \$20.25 each	2,025.00
CFR Update Service--4 sets @ \$266.00 each	1,064.00
Long distance fees--SNET transmission to WDC-- 12 months @ \$75/month	900.00
AAMVANET Transmittal SAFETYNET Fees	4,680.00
Postage--12 months @ \$700/month	8,400.00
Office, film, and course supplies, etc.	2,981.52
CVSA decals--5,000 each for quarters 1 & 2, 9,000 each for quarters 3 & 4 = 28,000 @ \$.15 each	4,200.00
CVSA patches--300 @ \$.35 each	<u>105.00</u>
Sub-Total--Other Expendable Equipment	\$ 28,105.52
TOTAL EQUIPMENT EXPENSE:	\$ 28,105.52

Non-Expendable

Vehicles and vehicle-related expense:

A formula was established at the inception of the Iowa program to prorate enforcement vehicles operating costs eligible for MCSAP funding. The formula shown below is used for each officer charging time to MCSAP inspections:

$$\text{MCSAP - Eligible Vehicle Operating Costs} = \frac{\text{Total Vehicle Operating Costs}}{\text{MCSAP Hours}} \times \text{Total Working Hours}$$

The costs for vehicle mileage are included under "Travel and Per Diem Expense"

TOTAL SALARY/SUPPORT/EQUIPMENT:	\$1,191,104.06
Minus - maintenance of effort	<u>- 148,500.00</u>
Iowa Department of Transportation estimated participation cost	\$1,042,604.06
Iowa State Patrol estimated participation cost	<u>\$ 561,402.49</u>
Iowa's Total Program minus MOE	\$1,604,006.25
Iowa's Participation (20%)	\$ 320,801.25
Federal MCSAP Grant Request (80%)	\$1,283,205.00

FILED MAR 3 1994

SENATE FILE 2258
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 2171)
(COMPANION TO LSB 3294HV)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the operation of vehicles on roads by
2 requiring certain drivers of commercial vehicles to comply
3 with federal motor carrier safety regulations and by
4 restricting the operation of all-terrain vehicles and
5 snowmobiles on roads.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2258

1 Section 1. Section 321.449, unnumbered paragraph 4, Code
2 Supplement 1993, is amended by striking the unnumbered
3 paragraph and inserting in lieu thereof the following:

4 Notwithstanding other provisions of this section, rules
5 adopted under this section for a driver of a commercial
6 vehicle shall not apply to a driver for an agricultural
7 interest, who is not for hire and who is engaged exclusively
8 in intrastate commerce, when the driver's commercial vehicle
9 is operated between the farm and the retail agribusiness
10 location.

11 Sec. 2. Section 321G.1, Code 1993, is amended by adding
12 the following new subsection:

13 NEW SUBSECTION. 6A. "Freeway" means a highway constructed
14 as a fully controlled access facility with no access to the
15 facility except at established interchanges.

6 Sec. 3. Section 321G.8, subsection 5, Code 1993, is
17 amended to read as follows:

18 5. All-terrain vehicles used in accordance with section
19 ~~321-234A~~ 321G.9, subsection 4, and section 321G.13, subsection
20 9.

21 Sec. 4. Section 321G.9, unnumbered paragraph 1, Code 1993,
22 is amended to read as follows:

23 A person shall not operate an all-terrain vehicle or
24 snowmobile upon roadways or highways, as defined in section
25 321.1, except as provided in ~~section-321-234A~~ and this
26 chapter.

27 Sec. 5. Section 321G.9, subsection 1, Code 1993, is
28 amended to read as follows:

29 1. An all-terrain vehicle or snowmobile shall not be
30 operated at any time within the right of way of any interstate
31 highway or freeway within this state except ~~under-either-of~~
32 ~~the-following-circumstances:~~

33 ~~a.--As-provided-in-section-321-234A-~~

34 ~~b.--When~~ when using an underpass located on an interstate
35 highway or freeway if all of the following apply:

1 ~~(1)~~ a. The underpass has been abandoned and is no longer
2 being used by motor vehicles or trains.

3 ~~(2)~~ b. Use of the underpass is the only alternative to the
4 use of a traveled roadway.

5 ~~(3)~~ c. Notwithstanding the provisions of chapter 321, use
6 of the underpass does not conflict with any rules or
7 regulations adopted by a federal governmental entity or this
8 state or a political subdivision of this state.

9 Sec. 6. Section 321G.9, subsection 3, paragraph b, Code
10 1993, is amended to read as follows:

11 b. On ~~limited-access-highways~~ freeways and approaches, and

12 Sec. 7. Section 321G.9, subsection 4, Code 1993, is
13 amended by adding the following new paragraph:

14 NEW PARAGRAPH. h. A person operating an all-terrain
15 vehicle or snowmobile on a highway shall have a valid motor
16 vehicle license or a valid safety certificate as provided by
17 this section and the vehicle shall be operated at speeds of
18 less than thirty miles per hour.

19 Sec. 8. Section 321G.9, subsection 7, Code 1993, is
20 amended to read as follows:

21 7. An all-terrain vehicle or snowmobile shall not be
22 operated within the right of way of a primary highway between
23 the-hours-of-sunset-and-sunrise except on the right-hand side
24 of the right of way and in the same direction as the motor
25 vehicular traffic on the nearest lane of the traveled portion
26 of the right of way.

27 Sec. 9. Section 321G.13, subsection 9, Code 1993, is
28 amended to read as follows:

29 9. On any public road or street without a bright-colored
30 pennant-or-flag-displayed-at-least-sixty-inches-above-the
31 ground.--Said-pennant-or-flag-shall-be-a-minimum-of-six-inches
32 by-nine-inches, shall-be-orange-and-shall-provide-a
33 fluorescent-effect bicycle safety flag which extends not less
34 than five feet above the ground attached to the rear of the
35 vehicle. The bicycle safety flag shall be triangular in shape

1 with an area of not less than thirty square inches, be day-
2 glow in color, and shall be in lieu of the reflective
3 equipment required by section 321.383.

4 Sec. 10. Section 321G.13, subsection 10, Code 1993, is
5 amended to read as follows:

6 10. On public land without a measurable snow cover except
7 as provided in section ~~321.234A~~ 321G.9, subsection 4, and
8 section 321G.13, subsection 9, or in specific areas permitted
9 by the commission, such as "all-terrain vehicle parks" which
10 are designated and intended for use with or without snow.

11 Sec. 11. Section 321.234A, Code 1993, is repealed.

12 EXPLANATION

13 Section 1 of the bill eliminates the exemption from federal
14 motor carrier safety regulations for a driver of a commercial
15 vehicle for a private carrier who is not for hire and who is
16 engaged exclusively in intrastate commerce when the vehicle is
17 not operated more than 100 miles from the driver's work
18 reporting station. However, the section then provides that
19 the exemption from federal regulations does apply to certain
20 drivers for an agricultural interest who are not for hire and
21 who are engaged in intrastate commerce while operating between
22 a farm and a retail agribusiness location.

23 Sections 2 through 11 of the bill concern the operation of
24 all-terrain vehicles and snowmobiles on roads. The bill
25 defines freeways and provides that these vehicles can only
26 operate on highways that are not freeways if the vehicles are
27 operated on the right-hand side of the highway right of way in
28 the same direction as the traffic at all times. Currently,
29 these vehicles can operate on all highways between sunrise and
30 sunset and must be operated on the right-hand side of the
31 highway only between the hours of sunset and sunrise. The
32 bill repeals section 321.234A dealing with all-terrain
33 vehicles and incorporates the provisions of that section
34 within the chapter dealing exclusively with all-terrain
35 vehicles and snowmobiles, chapter 321G.

SENATE FILE 2080

AN ACT

RELATING TO AGRICULTURAL AND OTHER MOTOR VEHICLES, BY DEFINING SPECIAL MOBILE EQUIPMENT AND EXEMPTING OVERSIZED VEHICLES FROM CERTAIN REGULATIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 321.1, subsection 75, Code Supplement 1993, is amended to read as follows:

75. "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, but-not including road construction or maintenance machinery and ditch-digging apparatus. This description does not exclude other vehicles which are within the general terms of this subsection.

Sec. 2. Section 321.423, subsection 6, Code 1993, is amended to read as follows:

6. AMBER FLASHING LIGHT. A farm tractor, farm tractor with towed equipment, self-propelled implement of husbandry, road construction or maintenance vehicle, road grader, or other vehicle principally designed for use off the highway which, when operated on a primary or secondary road, is operated at a speed of twenty-five miles an hour or less, shall be equipped with and display an amber flashing light visible from the rear at any time from sunset to sunrise. If the amber flashing light is obstructed by the towed equipment, the towed equipment shall also be equipped with and display an amber flashing light as required under this subsection. All vehicles specified in this subsection which are manufactured for sale or sold in this state shall be equipped with an amber flashing light. The type, number, dimensions, and method of mounting of the lights shall be determined by the director.

The director, when approving the light, shall be guided as far as practicable by the standards of the American society of agricultural engineers.

Sec. 3. Section 321.453, Code 1993, is amended to read as follows:

321.453 EXCEPTIONS.

The provisions of this chapter governing size, weight, and load, and the permit requirements of chapter 321E do not apply to fire apparatus, to road maintenance equipment owned by or under lease to any state or local authority, or to implements of husbandry temporarily moved upon a highway, or to implements moved from farm site to farm site or between the retail seller and a farm purchaser within a one hundred mile radius from the retail seller's place of business, or to indivisible implements of husbandry temporarily moved between the place of manufacture and a retail seller or a farm purchaser, or implements received and moved by a retail seller of implements of husbandry in exchange for an implement purchased, or implements of husbandry moved for repairs, except on any part of the interstate highway system-or-to-a ~~vehicle-operating-under-the-terms-of-a-special-permit-issued as-provided-in-chapter-321E.~~ A vehicle exempted from the permit requirements under this section shall be equipped with an amber flashing light under section 321.423, shall be equipped with warning flags on that portion of the vehicle which protrudes into oncoming traffic, and shall only operate from thirty minutes prior to sunrise to thirty minutes following sunset.

Sec. 4. Section 321.454, subsection 1, Code 1993, is amended to read as follows:

1. The total outside width of any vehicle or the load thereon on the vehicle shall not exceed eight feet except that a motor home, commercial motor vehicle, motor truck or trailer hauling grain or livestock, travel trailer, fifth-wheel travel trailer, or bus having a total outside width not exceeding

ATTACHMENT B

eight feet six inches, exclusive of safety equipment, is exempt from the permit requirements of chapter 321E and may be operated on the public highways of the state. However, if hay, straw or stover moved on any implement of husbandry and the total width of load of the implement of husbandry exceeds eight feet in width, the implement of husbandry is not subject to the permit requirements of chapter 321E. If hay, straw or stover is moved on any other vehicle subject to registration, the moves are subject to the permit requirements for transporting loads exceeding eight feet in width as required under chapter 321E. The vehicle width limitations imposed by this subsection only apply to the public highways of the state not subject to the width limitations imposed under subsection 2.

Sec. 5. Section 321.454, subsection 2, Code 1993, is amended by striking the subsection.

Sec. 6. Section 321.457, subsection 2, paragraph h, Code Supplement 1993, is amended by striking the paragraph.

Sec. 7. Section 321.457, subsection 3, Code Supplement 1993, is amended to read as follows:

3. The maximum length of any motor vehicle or combination of vehicles operated on the highways of this state which are designated by the transportation commission shall be as follows:

a. A trailer or semitrailer, laden or unladen, shall not have an overall length in excess of fifty-three feet when operating in a truck tractor-semitrailer combination.

b. A trailer or semitrailer, laden or unladen, shall not have an overall length in excess of twenty-eight feet six inches when operating in a truck tractor-semitrailer-trailer combination or truck tractor-semitrailer-semitrailer combination. When the semitrailers in a truck tractor-semitrailer-semitrailer combination are connected by a rigid frame extension including a fifth-wheel connection point attached to the rear frame of the first semitrailer, the

length of the frame extension shall not be included when determining the overall length of the first semitrailer.

c. Power units designed to carry cargo, when used in combination with a trailer or semitrailer shall not exceed sixty-five feet in overall length for the combination.

~~d. In a combination of vehicles used principally for hauling livestock or a stinger-steered automobile transporter operating under this subsection and section 321.454, subsection 2, the combination of vehicles used principally for hauling livestock or the stinger-steered automobile transporter may depart from the designated highway system by the most direct route to points of pickup and delivery. Vehicles operating under this paragraph are not exempt from posted size and weight restrictions on highway structures.~~

e. d. A stinger-steered automobile transporter shall not have an overall length exceeding seventy-five feet, except that the load may extend up to three feet beyond the front bumper and up to four feet beyond the rear bumper.

f. e. Power units saddle mounted or full mounted on other power units shall not exceed seventy-five feet in overall length.

~~The commission shall adopt rules to designate the highways. The rules adopted by the department under this paragraph are exempt from chapter 17A, the Iowa administrative procedure Act.~~

Sec. 8. Section 321.465, unnumbered paragraph 2, Code 1993, is amended to read as follows:

If an officer upon weighing a vehicle and load determines that the weight is unlawful, the officer may require the driver to stop the vehicle in a suitable place until such portion of the load is removed as may be necessary to reduce the gross weight of the vehicle to the limit as permitted under this chapter. All material so unloaded shall be cared for by the owner or operator of the vehicle at the risk of the owner or operator. The owner or operator of an overweight

vehicle, designed to compact and transport solid waste and domiciled within the state, which is transporting solid waste, shall not be required to unload any portion of the load, if the load is indivisible, in a place other than a facility which is permitted to handle solid waste disposal, processing, or recycling. For purposes of this section "solid waste" means waste which is acceptable at a local sanitary landfill and the solid waste which has been compacted shall be considered to be an indivisible load.

Sec. 9. Section 321E.1, Code 1993, is amended to read as follows:

321E.1 PERMITS BY DEPARTMENT AND LOCAL AUTHORITIES.

The department and local authorities may in their discretion and upon application and with good cause being shown issue permits for the movement of construction machinery or asphalt repavers being temporarily moved on streets, roads or highways and for vehicles with indivisible loads which exceed the maximum dimensions and weights specified in sections 321.452 to 321.466, but not to exceed the limitations imposed in sections 321E.1 to 321E.15 except as provided in sections 321E.29 and 321E.30. Vehicles permitted to transport indivisible loads may exceed the width and length limitations specified in sections 321.454 and 321.457 for the purpose of picking up an indivisible load or returning from delivery of the indivisible load. Permits issued may be single-trip permits or annual permits. Permits shall be in writing and shall be carried in the cab of the vehicle for which the permit has been issued and shall be available for inspection at all times. The vehicle and load for which the permit has been issued shall be open to inspection by a peace officer or an authorized agent of a permit granting authority. When in the judgment of the issuing local authority in cities and counties the movement of a vehicle with an indivisible load or construction machinery which exceeds the maximum dimensions and weights will be unduly hazardous to public safety or will

cause undue damage to streets, avenues, boulevards, thoroughfares, highways, curbs, sidewalks, trees, or other public or private property, the permit shall be denied and the reasons for denial endorsed on the application. Permits ~~issued by local authorities~~ shall designate the days when and routes upon which loads and construction machinery may be moved within the a county on other than primary roads.

Sec. 10. Section 321E.1, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Local authorities may allow persons requesting permits under this chapter to do so by means of a telephone or facsimile machine, authorizing payment for the permits to be made upon receipt of an invoice sent to the persons by the local authorities.

Sec. 11. Section 321E.2, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. At the request of a local authority, the department shall issue annual and single-trip permits that are under the jurisdiction of the local authority.

Sec. 12. Section 321E.9, unnumbered paragraph 1, Code 1993, is amended to read as follows:

Subject to the discretion and judgment provided for in section 321E.1, single-trip permits, which may include a round-trip to and from a job or delivery site, shall be issued in accordance with the following provisions:

Sec. 13. Section 321E.11, unnumbered paragraph 1, Code 1993, is amended to read as follows:

Movements by permit in accordance with this chapter shall be permitted only during the hours from sunrise to sunset unless it is established by the issuing authority determines that the movement can be better accomplished at another period of time because of traffic volume conditions or the vehicle subject to the permit has an overall length not to exceed one hundred feet, an overall width not to exceed eleven feet, and

an overall height not to exceed fourteen feet, four inches, and the permit requires the vehicle to operate only on the designated highway system. Additional safety lighting and escorts may be required for movement at night.

Sec. 14. 1991 Iowa Acts, chapter 127, section 2, is amended to read as follows:

SEC. 2. Section 1 of this Act is repealed July 1, ~~1994~~ 1996. On that date the Code editor shall return the language in section 1 of this Act to the language appearing in the 1991 Code.

LEONARD L. BOSWELL
President of the Senate

HAROLD VAN MAANEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2080, Seventy-fifth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved 4-19, 1994

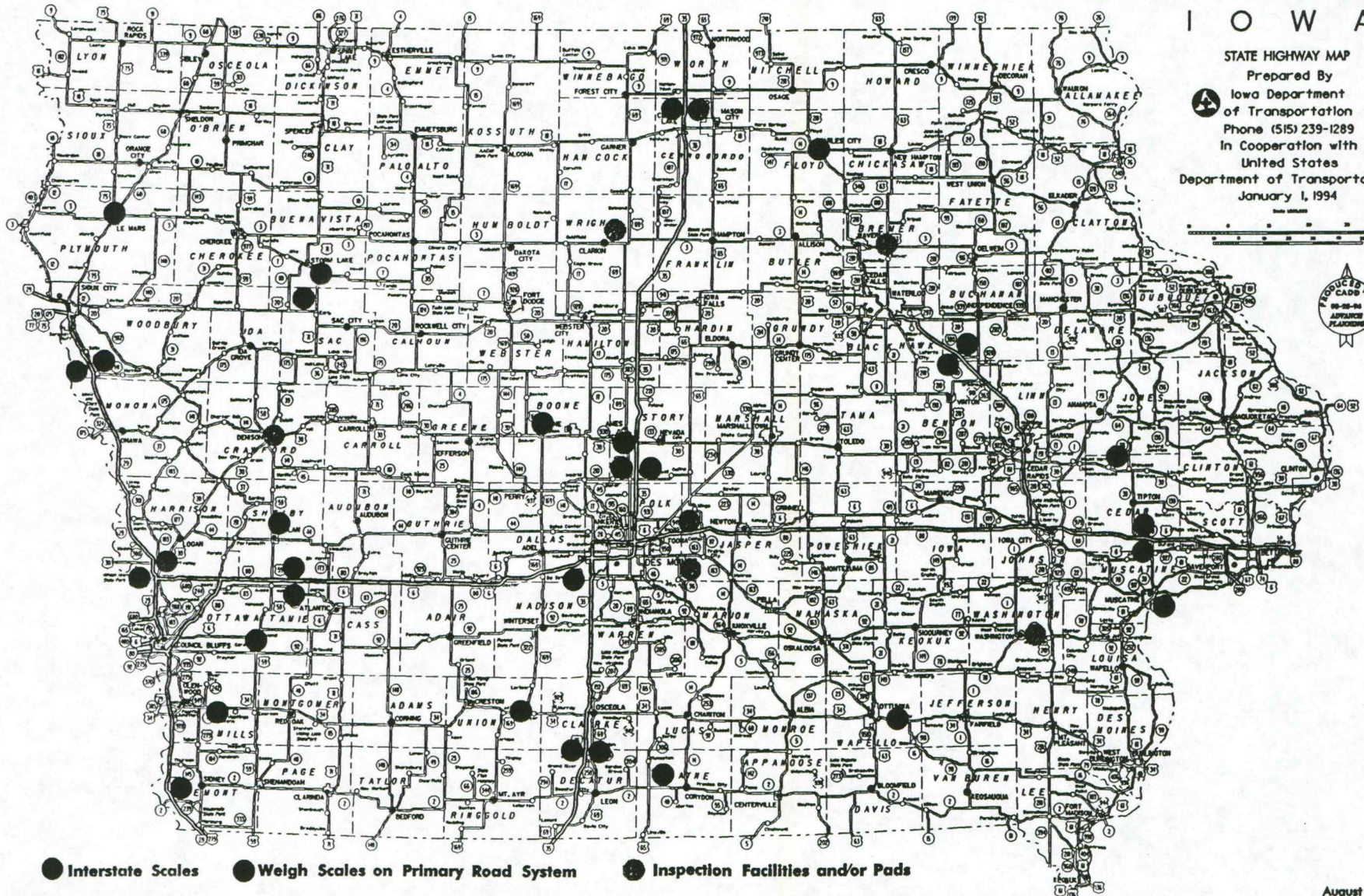
TERRY E. BRANSTAD
Governor

Location of Enforcement Scale Sites

I O W A

STATE HIGHWAY MAP

Prepared By
Iowa Department
of Transportation
Phone (515) 239-1289
In Cooperation with
United States
Department of Transportation
January 1, 1994



- Interstate Scales
- Weigh Scales on Primary Road System
- Inspection Facilities and/or Pads

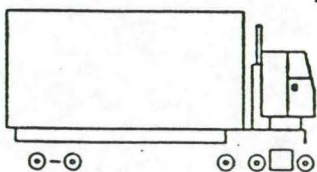
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CVSA/ IOWA

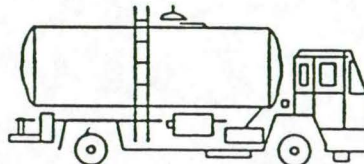
UNIFORM SEVERITY RATING

of

Out of Service Violations



and



*Recommended
Maximum Fine Schedules*

Commercial Vehicle Safety Alliance

GROUP 1 DRIVER

		CVSA	IOWA
VIOLATIONS		Maximum Fine	
Disqualifying Offenses Drugs - Under the Influence Drugs - Possessing Intoxicants - Under the Influence Intoxicants - Consumption	1 Violation =	\$500	\$ 25
	2 Violations =	\$1000	\$ 50
	3 Violations =	\$1500 *	\$ 75
Violation of Out of Service Notice (Each Notice, not each Offense)		\$1000	\$ 25

GROUP 2

VIOLATIONS		Maximum Fine	
Record of Duty Status - 10 Hour Violation 15 Hour Violation 60 in 7, or 70 in 8 None in Possession/Not Current	1 Violation =	\$100	\$ 25
	2 Violations =	\$200	\$ 50
	3 Violations =	\$300 *	\$ 75
Falsification of Record of Duty Status (Intentional)		\$300	\$ 25
Violation of Out of Service Notice (Each Notice, not each Offense)		\$1000	\$ 25

GROUP 3

VIOLATIONS		Maximum Fine	
Age Intoxicants - Possession in Cab License - Improper Class Waiver of Physical Disqualification Radio Active Material - Training Certificate	1 Violation =	\$30	\$ 25
	2 Violations =	\$90	\$ 50
	3 Violations =	\$150 *	\$ 75
Violation of Out of Service Notice (Each Notice, not each Offense)		\$1000	\$ 25

* Maximum Accumulated Fine for each group is the highest fine indicated for each group. Iowa fine shown in this comparison does not include court costs or surcharge.

VEHICLE

GROUP 1 **CVSA** **IOWA**

VIOLATIONS	Maximum Fine		
Braking Action Absent Missing or Broken Brake Component Air Drop Test	Steering Gear Box Steering Modification Steering Wheel Play	1 Violation = \$100	\$ 25
Safety Devices - Chains or Hooks Tires, Retreads - on Buses	Coupling, Towing Devices Frame	2 Violations = \$300	
Steering Column Other Steering Components	Tires, Front Axle Safe Loading	3 Violations = \$600 *	
Violation of Out of Service Notice (Each Notice, not each Offense)		\$1000	\$ 75
Violation of Out of Service Notice (Each Notice, not each Offense)		\$1000	\$ 25

GROUP 2

VIOLATIONS	Maximum Fine		
Brake Pad Brake Hose, Tube Parking Brake	Lamps on the Rear Lamps on Projecting Load Turn Signal-Rear	1 Violation = \$50	\$ 25
Low Air Warning Device Air Reservoir	Fuel Tank Not Secure Adjustable Axle	2 Violations = \$150	
Brake Adjustment Headlamp Inoperative Stop Lamp Inoperative	Wheels and Rims Front End Structure Suspension	3 Violations = \$250 *	\$ 50
Violation of Out of Service Notice (Each Notice, not each Offense)		\$1000	\$ 75
Violation of Out of Service Notice (Each Notice, not each Offense)		\$1000	\$ 25

GROUP 3

VIOLATIONS	Maximum Fine		
Fuel Tank Cap Missing Fuel System	Audible Air Leak Exhaust System	1 Violation = \$30	\$ 25
Windshield Glazing Windshield Wipers	Tires, Other Axles	2 Violations = \$90	
Violation of Out of Service Notice (Each Notice, not each Offense)		3 Violations = \$150 *	\$ 50
Violation of Out of Service Notice (Each Notice, not each Offense)		\$1000	\$ 75
Violation of Out of Service Notice (Each Notice, not each Offense)		\$1000	\$ 25

* Maximum Accumulated Fine for each group is the highest fine indicated for each group. Iowa fine shown in this comparison does not include court costs.

HAZARDOUS MATERIALS

GROUP 1	CVSA	IOWA
VIOLATIONS	Maximum Fine	
No Placards Non-Spec Cargo Tank Internal Valve Packaging Load Securement Forbidden Items	1 Violation = \$250	\$ 50
	2 Violations = \$500	\$100
	3 Violations = \$1000*	\$150
Violation of Out of Service Notice (Each Notice, not each Offense)	\$1000	\$ 50

GROUP 2

VIOLATIONS	Maximum Fine	
Instructions - Flammable Cryogenic Liquid Documents - A&B Explosives	Any Violation = \$100 *	\$ 50
Violation of Out of Service Notice (Each Notice, not each Offense)	\$1000	\$ 50

GROUP 3

VIOLATIONS	Maximum Fine	
Radioactive Route Plan Route Plan A&B Explosives	1 Violation = \$30	\$ 50
Shipping Papers Hazardous Waste Manifest	2 Violations = \$90	\$100
Bulk Packaging Marking Cargo Tank Marking	3 Violations = \$150 *	\$150
Violation of Out of Service Notice (Each Notice, not each Offense)	\$1000	\$ 50

* Maximum Accumulated Fine for each group is the highest fine indicated for each group

*RECOMMENDED
MAXIMUM FINE
for
NON-OUT OF SERVICE
VIOLATION*

<i>CVSA \$30.00</i>	<i>IOWA \$25.00</i>
---------------------	---------------------

Recognizing that Non-Out of Service Violations in of themselves do not constitute an imminent hazard, to the motoring public, it is strongly recommended that corrective action be administered in the form of warning citations, notices, or "fix-it tickets".

In those instances where it is apparent that the violation is due to negligence associated with the lack of proper attention, citations may be issued. The maximum fine that can be imposed during any one inspection (for non-out of service violations) is

\$30.00

The policy of stacking also applies to non-out of service violations.



Iowa Department of Transportation

Park Fair Mall, 100 East Euclid

515-237-3355

P.O. Box 10382, Des Moines, IA 50306-0382

FAX: 515-237-3202

August 31, 1994

Commissioner Paul H. Wieck, II
Governor's Representative For Highway Safety
Iowa Department of Public Safety
Wallace Building
Des Moines, Iowa 50319

SUBJECT: Iowa's Federal Fiscal Year 1995 Motor Carrier Safety
Assistance Program State Enforcement Plan

Dear Commissioner Wieck:

The Intermodal Surface Transportation Efficiency Act of 1991 re-
authorizes Motor Carrier Safety Assistance Program (MCSAP) funding
through Federal Fiscal Year (FFY) 1997.

As a condition for eligibility, the legislation requires the State
Enforcement Plan to be coordinated with the State Highway Safety Plan
under 23 United States Code, Section 402. Enclosed is Iowa's
proposed State Enforcement Plan for FFY 1995.

We would appreciate any comments you may have concerning Iowa's
proposed commercial motor vehicle safety program.

Sincerely,


Shirley E. Andre, Director
Motor Vehicle Division

SEA:jdl

Enclosure



TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY
PAUL H. WIECK II, COMMISSIONER

August 23, 1994

Shirley Andre, Director
Department of Transportation
Motor Vehicle Enforcement
Park Fair Mall, 100 Euclid Ave.
P. O. Box 10382
Des Moines, IA 50306-0382

Dear Ms. Andre:

Attached is the Iowa State Patrol's MCSAP traffic enforcement proposal for the State Enforcement Plan for FFY '95.

The SEP is based on the anticipated federal grant amounts assuming certain revisions are made by the Iowa legislature to Iowa Code section 321.449 and upon an agreement between your office, the Federal Highway Administration, and the Iowa State Patrol, which designated a 65/35% ratio between the lead agency and Patrol.

We look forward to another successful year.

Sincerely,

Earl Usher, Colonel
Chief
Iowa State Patrol

Attachment

cc: Kent Fleming, FHWA Director

**IOWA STATE PATROL
STATE ENFORCEMENT PLAN
FEDERAL FISCAL YEAR 1995**

**FOR CONTINUATION
IN THE
FEDERAL HIGHWAY ADMINISTRATION
MOTOR CARRIER SAFETY
ASSISTANCE PROGRAM (PUBLIC LAW 97-424)**

**PREPARED BY
IOWA STATE PATROL
MOTOR CARRIER ENFORCEMENT UNIT**

JULY 1994

STATE ENFORCEMENT PLAN FOR FEDERAL FISCAL YEAR 1995

1. STATUS OF OPERATION OF COMMERCIAL CARRIERS IN IOWA.

Refer to the state enforcement plan of the Iowa Department of Transportation (Iowa DOT).

A. PERSONNEL

Our estimated staff for F.F.Y. 1995 including titles, average salaries and percentages of time to be spent in Motor Carrier Safety Assistance Program MCSAP are as follows:

Iowa State Patrol Staffing Projected for Fiscal Year 1995

<u>Title</u>	<u>No. of Persons</u>	<u>Type</u>	<u>Average Salary*</u>	<u>Time Spent In MCSAP %</u>	<u>Full-Time Equivalent</u>
State Trooper (Inspections)	7	D	35.28	100.00	7.00
Admin. Ass't. (Data Processing)	1	A/T	23.95	100.00	1.00
Patrol Sergeant	1	D A/S	41.54	60.00 40.00	1.00

*Based on 1,415 hours productivity per person per year.

Definition of symbols under "Type":

D=Direct Activity

A/T=Administrative Technical,

A/S=Administrative Supervisory

B. FACILITIES USED

The Iowa State Patrol (ISP) will perform level 3 inspections. The ISP will not utilize on a routine basis any fixed facility site for the purposes of inspections. Rather, we will utilize normal patrolling methods such as radar, aircraft, VASCAR, stopwatches and also canines for the detection of moving violations, illegal narcotics, in addition to performing level 3 inspections. The officers will also utilize C.B. radios for monitoring radio traffic of drivers using the state highway system. The emphasis of our operation will be the detection of driver error and the removal of unsafe drivers.

Upon the detection of a traffic violation the ISP will issue either a citation or a memorandum. The deciding factor as to which is based upon the severity of the violation. Either citation or memorandum will be noted on the level 3 inspection form. A citation will be issued for any Out-Of-Service (OOS) action.

C. EQUIPMENT UTILIZED

All troopers have vehicles equipped with communications equipment. Radio units provide troopers with capabilities of direct communication with other troopers, Iowa DOT Officers, Narcotics and Criminal Investigators, as well as city and county law enforcement agencies. A canine is assigned to one of the MCSAP officers. Troopers are also equipped with alcohol and drug detection kits. Speed detection equipment includes radar, VASCAR, aircraft and stopwatches. Troopers are also trained in pacing techniques. Citizen Band radios are installed in all patrol cars, that enable troopers to monitor C.B. traffic, which most commercial vehicle operators use to extend their network of information.

Providing cars with this equipment is not included in operation costs. This equipment expense is covered by current inventory. \$ 6,759.44 is budgeted for vehicle operation costs. These costs include gas, oil, tires and any minor or major repairs. The anticipated costs is considerably higher and the shortfall will be covered by rollover funds from FFY 94. \$1,000 is budgeted for canine expenses. These expenses cover food and veterinary costs.

D. NUMBER OF VEHICLES INSPECTED

The ISP started their MCSAP program in F.Y. 1992. The below, is an estimate of level 3 inspections, which were completed:

<u>Year</u>	<u>Level 3</u>
1992	567 {actual}
1993	4,209 {actual}
1994	3,256 (estimate)

PROBLEM IDENTIFICATION

Commercial vehicle accidents continue to plague the state of Iowa. Statistics indicate the following trends:

<u>Commercial Vehicle Accidents in Iowa</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>
Total Reportable Accidents	3,511	1,951*	N/A
Accident Rate (per million miles)	1.17	N/A	N/A
Fatal Accidents	52	23*	N/A
Fatalities	*	*	N/A
Injury Accidents	992	565	N/A
Property Damage Accidents	2,467	1,363	N/A

*Preliminary data collected through August 15, 1993, by Iowa DOT. However, the Technical Investigation Unit of the ISP reported that in 1993, they investigated 33 fatality accidents, resulting in 37 deaths involving commercial motor vehicles on Iowa highways. The major causation in these accidents was driver error.

While property damage, personal injury and the total number of reportable accidents are on the decline, fatal accidents and the number of people dying in commercial motor vehicle accidents continues to rise.

PROBLEM SOLUTION

To address the problems identified, the ISP will utilize, but not limit themselves to the following methods:

1. Roving patrol methods by State Troopers to detect and correct commercial motor vehicle driver violations.
2. Conduct alcohol and drug usage detection projects.
3. Speed detection in road construction zones.
4. Special patrols in high accident areas.
5. In addition to CMV enforcement, full-time MCSAP troopers will be utilized for training non-funded MCSAP officers in level 3 inspections and CMV accident investigation.

Mission Statement

The mission of this program is to promote compliance with national uniform safety standards for all types of commercial motor carriers and to provide a basis for compliance to state laws for safe driving.

Objective

The objective in implementing the Iowa State Enforcement Plan is to reduce the number and severity of accidents involving commercial motor vehicles by increasing the detection of driver violations and correcting the unsafe driving practices or removing the unsafe driver from service.

In order to meet this goal, short and long-range goals have been established by the ISP.

Short-range goals

1. Continue level 3 inspection program.
2. Detect and correct commercial driver violations.
3. Place unsafe driver out-of-service.
4. Increase our MCSAP manpower for extended coverage.
5. Place OOS verification information on inspection report.

Medium-range goals

1. To continue to provide vital statistics as it pertains to the MCSAP/SAFETYNET programs.
2. Commercial Motor Vehicle accidents will be investigated by MCSAP trained officers.

Long-range goals

1. Measuring and evaluating the effectiveness of our MCSAP program through continued enhancement of our data processing.
2. Decrease the number and severity of accidents involving commercial motor vehicles.

PROJECTED ACTIVITIES

a. Total anticipated hours of direct activity (D)	10,754	hours
Less estimated court time, training, meetings, and travel time, etc. (25%)	<u>2,688</u>	hours
	8,066	hours

Projected number of level 3 inspections
to be performed per quarter:

First quarter	1,330
Second quarter	1,330
Third quarter	1,330
Fourth quarter	<u>1,330</u>
Total	5,320

Iowa performs inspections on a 24-hour schedule.

- b. Projected hours devoted to
inspection training: (80 hours)
- c. Projected hours devoted to data entry
of inspections/citations, notation of
returns and filing: (1415 hours)

SUMMARY

(Summary will be provided prior to February 1, 1995)

Attachment A

MCSAP BUDGET
Iowa State Patrol
Fiscal Year 1995

1. PERSONNEL

Employee Title	No. of Employees	% of time dedicated to MCSAP*	Salary/ Hourly	Fringe Benefits	Total Hours	Total Dollars
State Trooper (Inspections)	7	100.00	25.92	9.36	9,905	\$349,448.40
Admin. Ass't. (Data Processing)	1	100.00	19.32	4.63	1,415	33,889.25
Patrol Sergeant	1	100.00	32.18	9.36	1,415	<u>58,779.10</u>
TOTAL PERSONNEL						\$442,116.75

*Percentage of time is based on 1,415 hours of productivity per year.

2. TRAINING

Course Description	No. of troopers to be trained	Training Hours	Training Costs
<u>Inspections</u>			
Commercial Driver and Vehicle Safety Inspection Course	8	40	N/A
New Inspection Procedures/Out-of-Service Criteria, CVSA decal, etc.	8	40	N/A
TOTAL TRAINING			\$ N/A*

*The costs for training are included under "Travel and Per Diem Expense". All officers are 100% MCSAP and their salaries are all included under "Personnel".

3. TRAVEL AND PER DIEM EXPENSE

(Includes travel, meals, motel, expenses for inspection activities, concentrated checks, training programs, conferences, workshops and memberships.)

MCSAP BUDGET (cont'd.)

Inspections

Concentrated Inspection Checks

Motel - 8 Officers x 36 nights = 288 nights x \$39/night	\$ 11,232.00
Meals - 288 days x \$10.50/day	<u>3,069.00</u>
Sub-Total concentrated Inspection Checks Travel/Per Diem	\$ 14,301.00

Conferences

Dues - Iowa DOT pays this for the State of Iowa

CVSA Fall Conference (40 hours)

Motel - 2 persons x 5 nights = 10 nights @ \$ 60.00	= \$ 600.00
Meals - 10 days x \$30.00	= 300.00
Air Fare - 2 persons x \$500.00	= 1,000.00
Registration fee - 2 @ \$225.00	= 450.00
Ground transportation 2 x \$25.00	= <u>50.00</u>
	\$ 2,400.00

CVSA Spring Workshop (40 hours)

Motel - 2 persons x 5 nights = 10 nights @ \$ 60/night	= \$ 600.00
Meals - 10 days x \$30.00	= 300.00
Air Fare - 2 persons x \$500.00	= 1,000.00
Registration Fee - 2 x \$225.00	= 450.00
Ground Transportation 2 x \$25.00	= <u>50.00</u>
	\$ 2,400.00

SAFETYNET Users Workshop

Motel - 1 person x 5 nights @ \$100 per night	\$ 500.00
Meals - 1 x 5 days @ \$30 per day	150.00
Airfare - 1 x \$700	700.00
Registration - 1 x \$225	225.00
Ground Transportation - 1 x \$50	<u>50.00</u>
	\$ 1,625.00

Sub-Total Conferences \$ 6,425.00

TOTAL TRAVEL/PER DIEM \$ 20,726.00

MCSAP BUDGET (cont'd.)

4. EQUIPMENT

Expendable Equipment

Inspection Reports	\$	6,000.00
Postage		300.00
Office, film and course supplies		500.00
Canine Expenses		<u>1,000.00</u>

TOTAL EXPENDABLE EQUIPMENT EXPENSE \$ 7,800.00

Non-expendable Equipment

Vehicles and vehicle-related expense:

Patrol vehicles (6 cars @ \$14,000)	\$	84,000.00
Vehicle operation costs		<u>6,759.44</u>

TOTAL NON-EXPENDABLE EQUIPMENT EXPENSE \$ 90,759.44

TOTAL PERSONNEL, TRAINING, TRAVEL AND PER DIEM AND EQUIPMENT EXPENSES \$ 561,402.19

Estimated Participation Costs	\$	561,402.19
State Participation (20%)	\$	112,280.44
Federal MCSAP Grant Request (80%)	\$	449,121.75