



# TEAMSTERS Safety & Health FACTS

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## Compliance Safety Accountability (CSA) Frequently Asked Questions

Following is a selection of the FAQs from the CSA website of the Federal Motor Carrier Safety Administration. You can find more detailed FAQs at the following website: <http://csa.fmcsa.dot.gov/FAQs.aspx>

### 1. What is CSA?

Compliance, Safety, Accountability (CSA) is a new Federal Motor Carrier Safety Administration (FMCSA) safety program to improve large truck and bus safety and ultimately reduce crashes. It introduces a new enforcement and compliance model that allows FMCSA and its state partners to contact a larger number of carriers earlier in order to address safety problems before crashes occur.

### 2. How are the Carrier Safety Measurement System (CSMS) scores calculated? How often will it be updated and how far back do violations count?

Under CSA, SMS will replace the Safety Status (SafeStat) measurement system as FMCSA's assessment tool to identify high-risk motor carriers requiring interventions to improve safety on our nation's roads. SMS will evaluate the safety of individual motor carriers by considering all safety-based roadside inspection violations, not just out-of service violations as today, as well as State-reported crashes, using 24 months of performance data. SMS will assess each carrier's safety performance in each of the seven [Behavior Analysis and Safety Improvement Categories \(BASICS\)](#). The SMS calculates a measure for each BASIC by combining the time and severity weighted violations/crashes (more recent violations are weighted more heavily) normalized by exposure (e.g., number of power units (PUs) OR number of relevant inspections). Applying a similar approach to that used in SafeStat, the SMS converts each carrier's BASIC measures into percentiles based on rank relative to peers. SMS will be updated monthly.

### 3. What are the Behavior Analysis and Safety Improvement Categories (BASICS)? Which violations correspond to which BASIC?

The BASICS represent behaviors that can lead to crashes. The categories were developed based on information from a number of studies that quantify the associations between violations and crash risk, as well as statistical analysis and input from enforcement subject matter experts. The Safety Measurement System (SMS) assesses carriers in each of seven BASICS. Below are the seven BASICS and their corresponding Code of Federal Regulations (CFR) parts:

- Unsafe Driving (CFR Parts 392 & 397)
- Fatigued Driving (Hours-of-Service (HOS)) (CFR Parts 392 & 395)
- Driver Fitness (CFR Parts 383 & 391)
- Controlled Substances/Alcohol (CFR Parts 382 & 392)
- Vehicle Maintenance (CFR Parts 393 & 396)
- Cargo-Related (Hazardous Materials)
- Crash Indicator (Reportable Crashes)

For more detailed descriptions on the BASICS; visit this website: <http://csa2010.fmcsa.dot.gov/about/basics.aspx>. The details on which violations correspond to each BASIC can be found in the SMS Methodology document in Appendix A, starting with A-3: <http://csa2010.fmcsa.dot.gov/documents/SMSMethodology.pdf>.

#### **4. Why is CSA being implemented?**

FMCSA's mission is to improve safety by reducing crashes. Over the past few years, the rate of crash reduction has slowed, prompting FMCSA to take a fresh look at how the agency evaluates the safety of motor carriers and drivers and to explore ways to improve its safety monitoring, evaluation and intervention processes. CSA is the result of this comprehensive examination. CSA will enable FMCSA and its state partners to assess the safety performance of a greater segment of the industry and to intervene with more carriers to change unsafe behavior early.

#### **5. What is the Pre-Employment Screening Program (PSP) and when does it start?**

PSP is a new FMCSA program mandated by Congress that is designed to assist the motor carrier industry in assessing individual operators' crash and serious safety violation history as a pre-employment condition. The program is voluntary. It is not part of CSA. The system is expected to launch in early 2010 and motor carriers will be able to enroll in PSP soon. For more information about PSP, email FMCSA at [psp.fmcsa@dot.gov](mailto:psp.fmcsa@dot.gov).

#### **6. How does the Pre-Employment Screening Program (PSP) process work and who can use PSP?**

Motor carriers may request, through NIC Technologies, driver information for the purpose of pre-employment screening. The driver must provide written consent. Individual drivers may request their own driver information record at any time. The information will be retrieved from the Motor Carrier Management Information System (MCMIS). MCMIS electronic profiles will contain 5 years of crash data and 3 years of inspection data, however, MCMIS will not include conviction data. There will be a fee for this service. The system is currently under development. More information about the PSP program is forthcoming. People who have additional questions about PSP can email FMCSA directly at [psp.fmcsa@dot.gov](mailto:psp.fmcsa@dot.gov).

Even though PSP is not part of CSA, you can sign up for the email subscription service or RSS feed to keep up with the latest information on PSP as it becomes available by visiting this link, [http://csa2010.fmcsa.dot.gov/Stay\\_Connected.aspx](http://csa2010.fmcsa.dot.gov/Stay_Connected.aspx) and/or by checking the FMCSA homepage, <http://www.fmcsa.dot.gov/>.

#### **7. Will CSA assign safety ratings to individual CMV drivers? I heard that CSA is designed to rate CMV drivers and to put many of them out of work this summer.**

No. Under CSA, individual CMV drivers will not be assigned safety ratings or safety fitness determinations. Consistent with the current safety rating regulations ([49 CFR part 385](#)), individual drivers will continue to be rated, as they are today, following an onsite investigation at their place of business when they operate independently as a "motor carrier" (i.e. have their own USDOT number, operating authority, and insurance). CSA will provide enhanced tools for Safety Investigators to identify and address drivers with poor safety records as part of motor carrier investigations in order to increase driver accountability for safe driving behavior. CSA is designed to meet one overriding objective: to increase safety on the Nation's roads. Therefore, it is, by design, a positive program for drivers and carriers with strong safety performance records. Also, it will send a strong message that drivers and carriers with poor safety performance histories need to improve.

## **8. How does a driver's violation history impact a carrier's Safety Measurement System (SMS) evaluation?**

Carriers are only evaluated on inspections and crashes associated with their own DOT number, so only violations that a driver receives while working for a carrier apply to that carrier's SMS evaluation. Therefore, the driver's violation history before the driver is hired and after the driver's employment is terminated will not impact a carrier's SMS results. However, even if a carrier terminates a driver, all of the driver's crashes and inspection results that s/he received while operating for that carrier still apply to the carrier's SMS evaluation for 24 months from the date of occurrence. Because the data is time-weighted, the effect of those occurrences on the carrier's score will diminish over the course of the 24 months.

## **9. How do I determine if a violation will count against a carrier or driver or both?**

The Safety Measurement System (SMS) uses all safety-based violations recorded during roadside inspections to evaluate safety. A list of these violations can be found in the Appendix A of the SMS Methodology document (<http://csa2010.fmcsa.dot.gov/documents/SMSMethodology.pdf>.) All of the violations in Appendix A count against the motor carrier. A subset of these violations is applied to evaluate driver safety in cases where the commercial motor vehicle driver is also responsible in part for the occurrence. This subset of violations is noted in the "Driver Responsible" column in Appendix A of the SMS Methodology document. The driver safety assessment tool in the SMS, at present, is only used by enforcement personnel who are conducting carrier investigations. The new tool enables safety investigators to focus on drivers with poor safety performance histories when they are investigating a carrier.

## **10. How does an investigation work?**

The main purpose of every investigation is to ensure motor carriers and drivers are complying with the Federal Motor Carriers Safety Regulations (FMCSRs). There are three types of investigations. Offsite investigations are conducted over the phone and through e-mail, fax and the mail. Onsite focused and onsite comprehensive investigations are conducted at a carrier's place of business.

The investigation process is similar regardless of whether it is offsite, onsite focused, or onsite comprehensive. A Federal or State Safety Investigator (SI) reviews a carrier's SMS data, the specific violations that compose the SMS, and the carrier's intervention history. Next, the SI interviews representatives from the carrier over the phone and/or in person and also reviews selected documents. The SI engages in these activities to examine the carrier's operations for compliance with FMCSRs and to determine, with the carrier's participation, the organizational process breakdowns that are triggering the carrier's safety violations. The SI will determine the appropriate follow-on intervention(s) (Notice of

Claim/Notice of Violation and/or Cooperative Safety Plan). In addition, the SI will discuss with the carrier how they might improve their operations so that their deficient SMS scores will improve.

**11. What are the intervention thresholds for drivers?**

FMCSA does not address drivers the same way it addresses carriers today, nor will it under CSA. While carriers are prioritized for intervention based on the Safety Measurement System (SMS), drivers are only investigated during a *carrier* investigation. Therefore, no Intervention Thresholds are in place for drivers.

**12. How does the process of investigating drivers work?**

In the Operational Model Test (Op-Model Test), Safety Investigators (SIs) look at driver history when investigating a carrier; specifically, they are looking for egregious violations of FMCSA’s safety regulations by drivers. These violations are sometimes referred to as Red Flag Violations.

**13. Where can I find more specific information about measurements for specific BASICS?**

For a detailed look at the safety measurement system methodology including in-depth information on how data would be categorized and scored for the BASICS, Please read the Safety Measurement System [\(SMS\) Methodology](#).

**14. Describe the serious driver violations that sometimes are called “Red Flag Violations”.**

These are driver violations that are, by design, always investigated as part of a carrier investigation. The Safety Investigator (SI) looks to see if the violation has been corrected. At present, there are 11 such violations, though this list may be updated periodically. These are outlined in the table below, along with the Behavior Analysis and Safety Improvement Category (BASIC) to which they correspond.

BASIC	Part	Violation
Fatigued Driving (HOS)	395.13(d)	Violating Part 395 Out-of-Service (OOS) Order
Controlled Substances/Alcohol	392.4(a)	Possessing, using or being under the influence of a controlled substance
Controlled Substances/Alcohol	392.5(a)	Possessing, being under the influence of, or using alcohol within 4 hours of going on duty
Driver Fitness	383.37(b)	Allowing driver to operate with more than one Commercial Driver’s License (CDL)
Driver Fitness	383.21	Operating a commercial motor vehicle (CMV) with more than one CDL
Driver Fitness	383.23(a)	Operating without a valid CDL
Driver Fitness	383.51(a)	Driving while disqualified
Driver Fitness	391.11(b)(5)	Driving without a valid operator’s license
Driver Fitness	391.15(a)	Driving while disqualified

BASIC	Part	Violation
Driver Fitness	391.45	False entry on medical examiner's certificate
Vehicle Maintenance	396.9(c)	Operating an OOS vehicle before making repairs

**15. What are the driver interventions?**

Any driver violations identified and addressed during carrier investigations that are not corrected may result in a driver Notice of Violation (NOV) or Notice of Claim (NOC). These are the only driver interventions at this time.

**16. How will drivers, carriers, and the public be notified about driver interventions?**

Carriers and the public are not informed about driver interventions. Drivers will be notified by mail and may be contacted by a FMCSA investigator.

**17. If my BASIC scores go up what will happen?**

Higher scores will cause a motor carrier to enter, or remain in the pool of carriers with deficient BASICS. Increased scores may make a carrier subject to more severe interventions.

**18. Appendix A in the SMS Methodology lists all violations and the corresponding “violation points”. Does the column showing “driver responsibility” mean both driver and carrier will be assessed points or just the driver?**

The violations count against the carrier whether the “driver responsible” answer is yes or no. The SMS contains a tool, called Driver Safety Measurement System, that enables enforcement personnel to identify drivers with safety performance across employers and to address those drivers during a carrier investigation. The “driver responsible” column in the violation tables indicates whether a violation would be attributed to the driver, as well as the carrier, in this new tool.

**19. What’s the difference between SafeStat and the new Safety Measurement System?**

There are six important differences between the new Safety Measurement System (SMS) and the Agency’s current measurement system, SafeStat:

- SMS is organized by seven specific behaviors (BASICS) while SafeStat is organized into four broad Safety Evaluation Areas (SEAs).
- SMS identifies safety performance problems to determine the intervention level while SafeStat identifies carriers for a compliance review.
- SMS emphasizes on-road performance using all safety-based inspection violations while SafeStat uses only out-of-service and selected moving violations.
- SMS uses risk-based violation weightings while SafeStat does not.
- SMS will eventually be used to propose adverse safety fitness determination based on a carrier’s own data while SafeStat has no impact on an entity’s safety fitness rating.

- SMS provides a tool that allows investigators to identify drivers with safety problems during carrier investigations.

## **20. What is different between a Compliance Review and CSA Interventions?**

There are five important differences between CSA interventions and FMCSA's current compliance review (CR):

- CSA provides a set of tools to address carriers' safety problems; the CR is a one-size-fits all tool.
- CSA interventions provide the ability to focus on specific safety problems while the CR requires a broad examination of the carrier.
- CSA interventions focus on improving behaviors that are linked to crash risk; CR is focused on broad compliance based on a set of acute/critical violations.
- CSA focused onsite investigations and offsite investigations are less resource intensive and less time consuming for the carrier; CRs are resource intensive.
- CSA investigations may take place at a carrier's place of business or offsite; CRs are generally conducted onsite

## **21. What is the Operational Model Test?**

The Operational Model Test is a field test of the new Comprehensive Safety Analysis 2010 (CSA) Safety Measurement System (SMS) and comprehensive intervention process. During this test, a representative sample of interstate motor carriers within the States of Colorado, Georgia, Missouri, and New Jersey are being measured in SMS and are subject to interventions, while another representative set of carriers (a control group) within the four states, are subject to the existing compliance and enforcement process. Delaware, Kansas, Maryland, Minnesota, and Montana are also part of the test; however all carriers in these states are measured in SMS and subject to interventions. The test will continue for 30 months into mid-2010, at which time FMCSA is planning full implementation of the CSA model. For more information visit About CSA: Operational Model.

## **22. What are the carrier interventions?**

Interventions include early contact: (1) warning letter (2) carrier access to safety data and measurement information (3) targeted roadside inspection; investigations: (1) offsite investigation (2) onsite focused investigation (3) onsite comprehensive investigation; and follow-on interventions: (1) cooperative safety plan (2) notice of violation (3) notice of claim and (4) settlement agreement.

## **23. When does a carrier intervention take place?**

The intervention process is triggered by: (1) one or more deficient BASICs, (2) a high crash indicator, or (3) a complaint or fatal crash. Intervention selection is influenced by (1) safety performance, (2) hazardous material or passenger carrier status, (3) intervention history and (4) investigator discretion.

## **24. How long does a carrier remain in the CSA intervention process?**

Generally speaking, a motor carrier remains in the CSA intervention process until the carrier no longer has deficient BASICs. In the event of a carrier's BASIC score(s) falling below the threshold during an investigation or other intervention, the agency will complete its work.

## **25. When will SMS stop flagging me?**

The Safety Measurement System (SMS) will stop flagging the motor carrier when the carrier's safety performance reflects BASIC scores below the intervention threshold. This can happen in one of two ways: 1) improved performance as demonstrated by clean inspections at roadside; and/or 2) poor inspections countless as they age and eventually fall outside of the 24-month timeframe.

## **26. How will carriers gain access to CSA data? Will we be able to view other companies' safety scores?**

The public will continue to be able to view motor carrier data. FMCSA is currently finalizing the methodology for accessing data; however, logged-in motor carriers will have access to some information that will not be made public, such as driver names, licenses, and other personal information.

## **27. Will motor carriers and the public have access to a website similar to that of SafeStat?**

Yes, similar to the current SafeStat system, there will be a public view and a private view of the data. Until CSA is implemented nationwide, only motor carriers in the test states (Colorado, Georgia, Missouri, New Jersey, Delaware, Kansas, Maryland, Minnesota, and Montana) have access to the CSA SMS.

## **28. What is the "Driver Safety Measurement System" and who can see it?**

At present, the Driver Safety Management System (DSMS) is used strictly as an investigative tool for law enforcement and is not available to carriers, drivers, or the public. Law enforcement officials use this tool to examine the safety performance of individual commercial motor vehicles (CMV) drivers when conducting CSA carrier investigations but do not use the DSMS results to intervene with individual drivers outside of a carrier investigation.

## **29. What kinds of driver safety performance data is CSA looking at?**

The new program focuses on driver enforcement for serious rule violations, such as:

- Driving while disqualified
- Driving without a valid commercial driver's license
- Making a false entry on a medical certificate
- Committing numerous hours of service violations

## **30. Will roadside inspectors use the Inspection Selection System (ISS) to select carriers CSA?**

Yes, ISS will continue to exist under CSA. FMCSA is planning to have the CSA measurement system feed the ISS algorithm (ISS-D) instead of SafeStat.

## **31. Can you describe the CSA Driver Safety Enforcement process?**

The driver enforcement process provides FMCSA with the tools to identify unsafe drivers and to verify and address the issues. A new tool in the CSA Safety Measurement System evaluates the roadside performance of drivers across employers over a three year period, enabling Safety Investigators to identify drivers with poor safety histories, who work for carriers that require a CSA investigation. If the investigation results verify the driver violation(s), FMCSA takes an enforcement action against that driver, such as a Notice of Violation or a Notice of Claim.

**32. I have heard that FMCSA will make driver safety performance histories available to carriers for pre-employment screening in the near future. Is that true and is that part of the CSA driver program?**

The program you are talking about is an FMCSA initiative that has been undertaken separately from CSA. Beginning in early 2010, FMCSA's Commercial Drivers Pre-Employment Screening Program will provide carriers with individual drivers' safety performance histories with previous employers. These "Driver Profiles" contain important driver data including crash and inspection histories for individual drivers. Under the program, a driver would authorize FMCSA to release this information to carriers through a third party contractor. Drivers will also be able to obtain their own crash and inspection file through the third party. The U.S. Department of Transportation issued a press release on this new program in October 2009. It can be read at <http://www.fmcsa.dot.gov/about/news/news-releases/2009/pre-employment-screening.aspx>.

**33. Do individual CMV drivers get an individual driver safety rating under CSA?**

No. Under the new program, as it is currently constructed in the Operational Model test and planned for implementation, FMCSA will not rate or determine the safety fitness of individual CMV drivers beyond what is currently defined in the Federal Motor Carrier Safety Regulations. This does not preclude FMCSA from developing a driver rating or safety fitness determination process at some time in the future.

**34. Will citations play a role in the BASICs or carrier ISS algorithm? For example, a driver has a violation for torn strap (10 points) and receives a citation; does the citation add anything to the carrier's BASIC or ISS scores?**

Citations do not influence the BASIC Safety Measurement System (SMS) scores. Those scores are influenced by violations as recorded on the roadside inspection. To see which violations influence which BASICs check out Appendix A in the SMS Methodology document, which can be found here: <http://csa2010.fmcsa.dot.gov/Documents/SMSMethodology.pdf>. The new ISS algorithm has not been finalized yet.

**35. How will CSA address accurate and timely reporting of recordable crashes?**

Inspection and crash data that are collected and reported to FMCSA must meet high standards of uniformity, completeness, accuracy and timeliness. The FMCSA has made significant strides to improve the data quality of crash and inspection data by the development of a comprehensive program that includes: raising the awareness of these standards, developing a means to measure State safety data quality, and working directly with States through either a State onsite review process or direct technical assistance to improve the quality of State safety data.

**36. Why does FMCSA's new CSA program emphasize driver safety enforcement?**

Studies have shown that unsafe driver behavior, both on the part of CMV drivers and other drivers, is a major contributor to commercial motor vehicle-related crashes. Some studies indicate that a small segment of the CMV driver population is involved in a disproportionately large number of crashes. As a result, during the CSA Operational Model Test, the Federal Motor Carrier Safety Administration (FMCSA) is expanding its approach to identifying and addressing unsafe drivers during interventions with motor carriers.

**37. The CSA timeline shows that in July 2010 warning letters will be sent nationally. Does this mean carriers will get a warning letter if their scores require warning intervention, of does this mean every carrier will get a letter stating CSA is being implemented?**

FMCSA plans to begin rolling out the CSA Warning Letter component of the new intervention process in the summer of 2010. Warning letters are generated when the Carrier Safety Measurement System (CSMS) identifies a problem in one or more of the BASICS. At this time FMCSA does not plan to send all carriers letters to indicate that CSA is being implemented.

**38. If a vehicle is in a crash, and has a post-crash examination conducted which finds several Out-of-Service (OOS) violations as a result of the crash – do each of those count against the appropriate BASIC?**

In a post-crash inspection, violations that are the result of a crash are not used in the Carrier Safety Measurement System (CSMS). Violations that are considered existing prior to the crash are used in the CSMS.

**39. How will CSA address the issue of non-preventable crashes?**

FMCSA is developing a protocol for determining crash accountability for fatal and non-fatal commercial motor vehicle crashes under CSA. The goal of developing the protocol is to only include crash records where a carrier was shown to have some level of accountability for the crash event.

**40. Does crash preventability factor into anything? Will the new system improve crash data or will industry be assessed on same poor data?**

FMCSA has this on its radar and a team working on the issue. As results come in and decisions are made, information will be updated for industry.

**41. What is the detailed process for drivers to contest information contained on their driver records?**

Drivers should use FMCSA's DataQs system (<https://dataqs.fmcsa.dot.gov/login.asp>) to challenge data in FMCSA databases. At present, the Agency is in the process of improving the DataQs website to make the process of challenging data more apparent to drivers. Therefore, in the future, the look of the tool and the challenge selections, will be changing.

In the meantime, for drivers to challenge their data today, they must first register. From the DataQs home page, a driver should select "register on-line" as a general public user and create a DataQs account profile. Once registered, the driver will be able to challenge his or her data by following detailed instructions in the help menu.

**42. Will all motor carriers with safety problems get a warning letter before they hear anything else from FMCSA? Is CSA introducing a truly progressive intervention process?**

Motor carriers will enter the interventions process based on the nature and severity of their safety problems. If a carrier's safety problems are serious, it may enter the process through receiving an offsite, onsite focused or onsite comprehensive investigation. If a carrier's safety problems are just emerging, FMCSA will issue a warning letter. If a carrier's safety performance does not improve or diminishes after receipt of a warning letter, the carrier will enter the progressive process and receive an investigation. If performance improves, the carrier will no longer be identified for intervention.

*The Information contained here is based on information provided by the US Department of Transportation Federal Motor Carrier Safety Administration-*