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RISK RESOURCES

PROPOSED CHANGES TO FMCSA'S CARRIER SAFETY MANAGEMENT PROGRAM: WHAT YOU NEED TO KNOW NOW!

THE FEDERAL MOTOR CARRIER ASSOCIATION (FMCSA) has proposed significant changes to CSA—its carrier safety management program. If adopted, these changes will likely take effect later in 2023. It is important that motor carriers anticipate the potential impact of the proposed changes and make any necessary adjustments to their safety and compliance programs now.

WHAT IS CSA?

CSA is FMCSA's data-driven safety compliance and enforcement program.

To learn more, click [HERE](#).

YOUR CSA SCORES: A BOTTOM-LINE PROPOSITION

Most FMCSA motor carrier safety data are publicly available, and many shippers pay close attention to carrier CSA scores. Therefore, unremedied safety alerts may impact a motor carrier's ability to earn contracts with some shippers. Alerts are also carefully reviewed by underwriters during the insurance renewal process, with unremedied safety alerts potentially affecting insurance renewal decisions. Because of these facts, having acceptable CSA scores can impact a carrier's bottom line.



Proposed Change: Roadside violations are grouped into Safety Categories. If a carrier has excess violations in a category, that would trigger a safety alert and increase the chances of a federal audit. The UNSAFE category is expanded to include all Operating While Out of Service (OOS) violations and all drug and alcohol violations.

Impact: The new UNSAFE category would cover more violations. Because of that, higher UNSAFE CSA scores, and an increased probability of a targeted intervention, would be possible.

Proposed Change: The Maintenance category is split into Driver Observed and Vehicle Maintenance categories. Anything a driver should have reasonably found during the pre- or post-trip inspection would be included in the first category, and issues a roadside inspector would find during a Level 1 or annual inspection would fall under the second category.

Impact: This places a renewed importance on driver pre- and post-trip inspections. Frequent Driver Observed violations would make it easier for FMCSA to identify fleets that are not attentive to vehicle maintenance.

Proposed Change: Currently, a fleet may be subject to one or more of 959 roadside violations. These violations would be streamlined into 116 violation groups, with similar violations grouped together. If a carrier receives more than one violation in a group, it would be treated as a single violation on their safety score, even though the multiple issues would still be listed in the inspection report.

Impact: Carriers (and roadside inspectors) could more easily identify safety issues by group than as individual violations. This would allow a carrier to focus on problems in a safety category versus specific violations, reducing redundant points and stacking of violations for the carrier.

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Proposed Change: Each roadside violation would be given a severity weight, with carriers receiving higher points for more severe violations. Currently, a violation may carry 1 to 10 points. With the proposed rule changes, violations would carry either 1 or 2 points, with all violations receiving one point, and multiple violations in a group or out of service and severe violations receiving 2 points.

Impact: This change would allow FMCSA to target higher risk trucking companies more quickly. On this topic, FMCSA commented: "After conducting analysis on multiple approaches, FMCSA determined that assigning customized weights to all violations was not as important as noting that the violation occurred. This simplified approach identifies carriers with higher crash rates for prioritization and makes it clearer why a specific violation is weighted more heavily than others."

Proposed Change: Once a carrier receives enough points in a Safety Category, it would be placed in Alert status. Some of the ALERT thresholds would change under the new rules.

Impact: Carriers could already know their safety scores under the new rules now. Simply log in to your portal account and use the Prioritization Preview tool to see exactly how the new system would impact your scores.

Proposed Change: Carrier scores would be determined based on the carrier's performance in their assigned safety event group. Sometimes, a change in assignment from one group to another would cause scores to fluctuate. If you've experienced radical changes in your scores due to changes in your safety event group, the FMCSA would address this problem by using the exact number of inspections and crashes versus safety event groupings.

Impact: Theoretically, this would reduce the chance of significant score fluctuation when your group is changed.

Proposed Change: Outside of crashes, the FMCSA would use only the current 12-month violation history to determine when a carrier is targeted for an intervention. If you do not have a violation in the last year, your status would not be able to be ALERT in that category.

Impact: This would prioritize recent behavior. Carriers who have recent negative violation trends would run a higher risk of intervention. Carriers who show a positive recent trend would lower their chances of intervention.

LET'S REVIEW THE MOST IMPORTANT PROPOSED CHANGES ...

- The calculation of federal safety scores would be dramatically impacted. This would make it easier for FMCSA to identify carriers for intervention.
- Recent and severe violations would be prioritized to decide who is flagged for intervention.
- Some carriers could see an increase in compliance reviews and rating downgrades depending on how the numbers fall as the final changes are put in place.

YOUR ACTION PLAN:

- These changes would possibly increase the number of carriers flagged for audit. If a carrier has safety alerts on its CSA profile, or if its scoring trends are negative, it is time to act.
- Focus on the safety and compliance fundamentals. Know your most common violations and develop an action plan to address them.
- Challenge violations that do not belong on your record using the Data Q system.
- Pay attention to your CSA scores. Act early if you see any negative changes.
- Log in to your current SMS record. The CSA Prioritization Preview will show you the potential impact on your scores. [CLICK HERE](#)

The changes proposed by FMCSA should not cause carriers to panic or overreact. Carriers should be fine if they are proactive with their safety management and compliance practices and maintain acceptable CSA scores. FMCSA has proposed these changes to target carriers more accurately for intervention. If a carrier falls into this category, take action now.