

ANALYSIS

Oregon Department of Transportation Commercial Driver's License Compliance and Reporting

Analyst: Michelle Deister

Request: Approve the submission of a federal grant application to the to the Federal Motor Carrier Safety Administration in the amount of \$294,000 to improve compliance and reporting with federal commercial driver license regulations.

Analysis: If the grant application is successful, the Oregon Department of Transportation (ODOT) will have federal resources to help improve its monitoring and reporting of commercial driver safety issues. ODOT will utilize 80% of the grant award to evaluate Commercial Drivers License processes and procedures related to reporting and compliance against federally provided reports. That analysis will enable ODOT to improve the timeliness and quality of the data it collects and provides, both to federal regulators, and to courts.

Federal regulations prohibit commercial driver license holders to participate in diversion programs, and ODOT has identified a need to better inform and educate courts regarding this regulation. The remaining 20% of the grant award would be spent on outreach and education to courts regarding this matter.

The grant submission deadline is February 28, 2022. No matching funds are required. Award announcements are expected no later than September 31, 2022. If awarded, funds must be expended by September 30, 2026. ODOT is unlikely to require additional expenditure limitation or staffing resources in the event of a grant award but would return to the Emergency Board to seek additional staffing or expenditure limitation, if necessary.

Recommendation: The Legislative Fiscal Office recommends approval of the request.



Oregon

Kate Brown, Governor

Department of Transportation
Office of the Director
355 Capitol St NE
Salem, OR 97301

January 27, 2022

The Honorable Senator Elizabeth Steiner Hayward, Co-Chair
The Honorable Representative Dan Rayfield, Co-Chair
Joint Committee on Ways and Means
900 Court Street NE
H-178 State Capitol
Salem, OR 97301-4048

Dear Co-Chairpersons:

NATURE OF THE REQUEST

The Oregon Department of Transportation (ODOT) Driver & Motor Vehicle Services Division (DMV) requests permission to apply for a Federal Motor Carrier Safety Administration (FMCSA) Commercial Driver License Program Implementation (CDLPI) grant in the amount of \$294,000 to assist in complying with federal commercial driver license regulations.

AGENCY ACTION

The FMCSA CDLPI grant program provides financial assistance to States to improve the national commercial driver license (CDL) program, which is regulated by the FMCSA. The goal of the program is to reduce the number and severity of commercial motor vehicle (CMV) crashes in the United States by ensuring that only qualified drivers are eligible to receive and retain a CDL. Grant funds may be used to support the development, implementation, and maintenance and operations of the CDL program. Grants assist States in achieving and sustaining compliance with the provisions of FMCSA's CDL regulations, codified at 49 CFR parts 383 and 384.

This grant would provide DMV additional capacity to focus on identifying and addressing federal CDL program compliance issues. Specifically, the grant funds will enable DMV to:

- analyze system functionality, processes and procedures, and make extensive use of federally-provided state compliance reports to improve the accuracy, completeness, and timeliness of federally-required commercial driver record data elements;
- ensure the timely recording of convictions to the commercial driver record within the federal 10-day reporting requirement by identifying and mitigating barriers to timeliness; and
- develop an outreach program to inform Oregon courts about FMCSA's prohibition against diversion schemes for commercial driving privilege-holders as well as coordinate processes to ensure the timely submission of CDL and CMV convictions as required by federal regulations.

Successful implementation of the grant will allow DMV to identify and address federal compliance issues proactively rather than waiting until they become report findings, which over time can become larger safety and legal risks to the state and require more operational resources to resolve.

Total Project Cost:	\$294,000
Grant Request:	\$294,000
Match:	\$0

No matching funds are required. The deadline for submission of the grant is February 28, 2022.

ACTION REQUESTED

ODOT requests approval to submit a grant application to the Federal Motor Carrier Safety Administration for \$294,000 in Commercial Driver License Program Implementation grant funds.

LEGISLATION AFFECTED

None.

Sincerely,

A handwritten signature in blue ink that reads "Kristopher W. Strickler". The signature is written in a cursive style with a large initial 'K'.

Kristopher W. Strickler
Director