



ISSUE #7

ESTABLISH A SINGLE POINT OF CARRIER REGISTRATION, CREDENTIALING AND SAFETY DATA ACCESS

PROBLEM

At the present time, interstate carriers, shippers, process agents, brokers and/or freight forwarders must comply (as appropriate) with the following credentialing requirements through a separate process for each item:

1. Register under the new Unified Carrier Registration System (presently in effect in 34 states, slated to expand to 39 in 2008 and possibly 41 in 2009) which registration is filed annually with fee payment;
2. Obtain a federal U.S. DOT number by filing a carrier identification report called the MCS-150 (different forms for HM and permitted carriers) every 24 months;
3. Obtain Operating Authority (as required);
4. Obtain a Hazardous Materials Safety Permit (as required);
5. Register under IFTA and IRP annually on a staggered monthly schedule.; and
6. File proof of Licensing and Financial Responsibility (as required).

Add to this various intra-state permits (i.e. oversize/overweight) and authorities that are required and it creates a difficult maze for the industry to track and comply with. The ultimate result of these separate registration processes and their supporting information systems is that few communicate with one another, information sharing is inconsistent, and duplication of effort is common. The result is that many inconsistencies in the data and software/systems used to select entities for contacts/reviews/inspections and for tracking and evaluating safety fitness/performance to assist enforcement now exist and will continue to worsen.

BACKGROUND

The last 10 years has seen tremendous growth in technology development and deployment. This is especially true in the world of the truck and bus industries. Just in time deliveries require the supply chain to be lean, efficient and responsive to customer demands.

In many respects, the government (federal and state levels) has failed to keep pace with the private sector advances in this area. A large reason for this is due to the fact that there are many “legacy” systems in place that governments have invested tremendous resources in and are reluctant to throw away, and states have limited funding with which to design and deploy new ones.

The “Vision” for the Commercial Vehicle Systems and Networks (CVISN) Program for the last 10 years has been that it would serve as the collection of information systems and communications networks that provide support to commercial vehicle operations (CVO). CVISN’s goal is to include information systems owned and operated by governments, carriers, and other stakeholders. It is supposed to focus not only on enforcement of safety regulations but also on the registration of motor carriers. Through the last several reauthorization cycles the Congress has funded the CVISN Program at modest levels, the



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resources available come nowhere near the amount necessary to realize the full vision. While in many respects CVISN has been successful, it has yet to reach its full potential and in many cases has not been able to comprehensively address registration issues such as this.

The COMPASS program is an FMCSA-wide initiative that is leveraging new technology to transform the way that FMCSA does business. Its ultimate goal is to implement an information technology (IT) solution that improves the Agency's ability to save lives and improve the safety of commercial motor vehicles.

Key objectives include:

- Creating a single source for crucial safety data via single sign-on access;
- Improving data quality to enable better, more informed decision making; and
- Providing actionable information as well as data.

A key component of COMPASS is the commitment to implementing a new operational model being developed as part of the Comprehensive Safety Analysis 2010 (CSA 2010) initiative. COMPASS is now leveraging a service-oriented architecture and leading technologies to develop a solution that can adapt easily to a changing environment. The FMCSA Portal, the first phase of COMPASS, provides single sign-on access to MCMIS, EMIS, L&I, and DataQs via a single password and user ID. Over time, the Portal will provide access to all FMCSA existing systems.

The conflicting problem on this issue is there are multiple offices within FMCSA that provide the oversight, policy guidance, funding and support necessary for the various federal processes and systems identified above, as well as the field systems to support compliance and enforcement efforts. In addition, the oversight of some programs lies either wholly or partially outside the scope of FMCSA's authority which creates additional problems and confusion.

While both the CVISN and COMPASS programs have laudable objectives, in our view their execution has not been conducted in a manner that is consistent with their seemingly similar visions. We do not see this changing under the current conditions at the Agency and the directives Congress has provided.

SOLUTION(S)

Establish web-based portal within FMCSA that combines the common data elements of the six programs outlined in the problem section above, along with the permitting program administered by the Alliance for Uniform Hazardous Materials Transportation Procedures. This system would not pre-empt intrastate programs nor would it seek to supersede programmatic responsibility for existing programs (i.e. IFTA, IRP and UCR) but would provide a mechanism to consolidate those aspects of interstate registration/credentialing programs that are common to all of the systems under one roof. FMCSA would be required to work with states to use their current resources and programs to process applications. However, FMCSA would be the provider and maintainer of the portal and would be responsible, where appropriate and necessary, for training state agencies to be able to process and issue credentials. The portal would serve as a type of common account for carriers and for each authoritative system used by each program. Data specific to a particular program or



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state (i.e. IFTA, IRP and UCR) would be stored by each individual entity responsible for that unique data.

The key goal of this solution is to enhance data quality, NOT to enhance the federal bureaucracy, replace/combine current programs. Existing state-based systems should continue to operate as they are today (i.e. IRP, IFTA, UCR and the Uniform Hazmat Program). The portal will simply provide **access** to the state systems, consolidate common data elements, and ensure that basic information about motor carriers is accurate, up-to-date, and the same for all interstate motor carriers. However, we also believe that relative to the federal systems, FMCSA must move ahead with the provisions outlined in SAFETEA-LU to consolidate and combine to the greatest extent possible the data systems and credentials issued to motor carriers by the federal government.

To fund this system an administrative fee should be permitted that would be used to build, staff, and maintain the portal system as well as to provide funding to states to ensure that their systems are capable of interfacing with it. Such a fee must be sufficient to maintain a high quality, robust system that operates round the clock. Furthermore, it is important to note that this proposal does not seek to touch in any way the fees or mechanisms for setting those fees of the various credentialing systems (i.e. IFTA, IRP, UCR, etc) currently in place.

By consolidating access to common data used by each of these systems into a one-stop-shop the FMCSA would vastly improve the quality of data needed to track and regulate carriers; states would continue to receive the funds needed to operate; and, carriers would save time and money. Such a system should not preclude states from continuing to operate their own intrastate registration systems but should allow them to subject their intrastate carriers to the requirements of the new federal system.

A key aspect of such a system will be to have a reconciliation process enabled through the portal to cleanse the data being shared between the federal and state systems and that takes place on a periodic basis (i.e. daily).

We believe the nucleus for this authority exists within the UCR Program (established under SAFETEA-LU) which calls for the establishment of a new Unified Registration System. The creation of such a system will help both the administration and enforcement of all of the various programs under its umbrella. This new unified system should cover the four primary elements of commercial motor vehicle movements: carrier, vehicle, driver and cargo. It could also be the vehicle to help states reign in and help create more uniformity in their requirements for various permits (UCR precludes permits), or at least make more uniform among the states permit requirements that must remain.

SAFETEA-LU provided a mechanism for UCRS revenues to administer the new federal system. Whether the scope of that authority would provide the funds for an enhanced on-line federal system is not clear. Additional funding and authority may be necessary and should be requested in the next Reauthorization. It is not expected that a pending rulemaking in FMCSA that deals with the new Unified Registration System (currently an April 2008 publish date) will propose a registration system that would include all of the elements for the on-line registration system described above. Legislative provisions in the next Reauthorization will be necessary to bring this about.