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COMMONWEALTH OF VIRGINIA
MOTOR CARRIER SAFETY ASSISTANCE PROGRAM
IMPLEMENTATION GRANT APPLICATION
1986

Prepared by

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and

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Virginia Department of State Police

A Proposal Prepared for the Virginia Department of State Police
by the Virginia Highway and Transportation Research Council
Under the Sponsorship of the Transportation Safety
Administration of the Department of Motor Vehicles

Virginia Highway and Transportation Research Council
(A Cooperative Organization Sponsored Jointly by the Virginia
Department of Highways and Transportation and
the University of Virginia)

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INTRODUCTION

On January 6, 1983, Congress enacted the Surface Transportation Assistance Act of 1982 (STAA) (Pub. L. 97-424). Sections 401-404 created a new categorical federal assistance program to be financed from the Highway Trust Fund and authorized five years of funding, beginning with \$10 million in fiscal year 1984 and increasing by \$10 million per year to a maximum of \$50 million in fiscal year 1988. The Federal Highway Administration (FHWA) established the "Motor Carrier Safety Assistance Program (MCSAP)" by adding Part 350 to Title 49 of the Code of Federal Regulations. These regulations set the requirements that states must meet to qualify for grants to finance enforcement of motor carrier safety and highway hazardous materials regulations.

Virginia requested developmental funding under the MCSAP and received a \$50,000 development grant on February 27, 1984. The grant was used to prepare an Implementation Grant Application and a State Enforcement Plan (SEP), and to perform other developmental activities. Working with Virginia's MCSAP committee and using information supplied primarily by the Virginia Department of State Police, the Virginia Highway and Transportation Research Council developed the various documents required by the FHWA, including Virginia's SEP, which was the heart of the application. The SEP explored the state's existing motor carrier safety problems, outlined Virginia's current enforcement activities, enumerated the objectives and goals of the program, listed the resources to be employed, explained the methodology to be followed, and developed a plan for program evaluation.

The document was published and submitted to the FHWA under the MCSAP, and was to be used by state officials involved in motor carrier

safety programs, as well as for the information of other groups or individuals interested in motor carrier safety or the MCSAP.

Virginia was not awarded an implementation grant to conduct motor carrier safety activities during the 1984-1985 federal fiscal year, but did receive additional monies to prepare an implementation grant to conduct such activities in 1985-1986. This present document is the result of the expenditure of some of the 1985-1986 developmental grant monies.

Department of Transportation
Federal Highway Administration
Motor Carrier Safety Assistance Program

The Department of State Police
(State 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) to develop or implement a Commercial Motor Carrier Safety Program as described in this application.

- The State Agency plans to carry out the development of a Motor Carrier Safety Assistance Program during FY 19 as described in the attached "Development Plan."
- The State Agency plans to carry out the implementation of a Motor Carrier Safety Assistance Program during FY 1986 as described in Exhibit I, "State Certification," and Exhibit II, "State Enforcement Plan."

The Federal share (not to exceed 80%) of the approved costs incurred in performing the effort described in the exhibits are reimbursable to the State and the State agrees to submit vouchers for the reimbursement of funds.

Colonel R. L. Suthard
(Typed Name)

R. L. Suthard
(Signature)

Superintendent
(Title)

July 31, 1985
(Date)

Department of State Police
(Organizational Unit)

(804) 323-2017
(Telephone Number)

P. O. Box 27472
(Street or P. O. Box)

Richmond, Va. 23261-7472
(City, State, Zip)

Attachments:

EXHIBIT I

STATE CERTIFICATION

I, R. L. Suthard, Superintendent, on behalf of the State of Virginia, 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 (P. L. 97-424), do hereby certify as follows:

1. The State has adopted the Federal Hazardous Materials Regulations, see Exhibit III, and proposes to adopt the Federal Motor Carrier Safety Regulations, see Exhibit V.

2. The State has designated The Department of State Police as the lead agency to administer the enforcement plan for which the grant is being awarded, and The Dept. of Motor Vehicles 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 (a copy of the applicable State law to be attached in the first year of the program).

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 recordkeeping, inspection, 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 (a copy of the State form used for such purposes to be attached in the first year of the program).

8. The State will maintain the level of its expenditures for motor carrier safety programs, exclusive of Federal assistance, at least at the level of its expenditures for these purposes during the last two full fiscal years immediately prior to January 6, 1983.

Date: July 31, 1985

Location: Christyfield Co.

R. L. Suthard
(Signature)

EXHIBIT II

COMMONWEALTH OF VIRGINIA
STATE ENFORCEMENT PLAN
1986

Defining the Problem

Volume and Type of Commercial Motor Vehicle Traffic

The state of Virginia encompasses an area of approximately 40,185 square miles having a variety of geographical features. Virginia ranges from the Atlantic Ocean and the ports along the Chesapeake Bay through the rolling Piedmont to the Blue Ridge and Appalachian mountains in the west, a distance of over 450 miles along its southern border. The heavily traveled I-95 corridor spans the 170 miles along the state's north-south axis, connecting Maryland and the commercial/industrial Northeast with the Carolinas and the Southeastern United States and making Virginia an important bridge for north-south commercial transportation.

Virginia has the nation's second largest state maintained highway system, with over 50,000 miles of roads and streets. The interstate portion of Virginia's system consists of approximately 1,000 miles of roadway and the arterial and primary routes comprise over 7,700 miles. During calendar year 1984, the average daily vehicle miles of travel on the state system was estimated to be 66.7 million miles. Commercial motor vehicles accounted for over 11% of this total.

All passenger and freight vehicles with more than two axles and all truck tractors must register with the Virginia State Corporation Commission (SCC) before operating in the Commonwealth. Current SCC figures show over 580,000 vehicles properly registered to operate in Virginia. Of this total, nearly 58,000 are Virginia licensed vehicles and 523,000 out-of-state vehicles.

Virginia relies heavily on the motor transportation industry to support the agricultural and manufacturing sectors of her economy. Virginians harvested 3,165 acres of farmland in 1981, producing crops such as tobacco, corn, hay, and soybeans with a total value of \$918 million. The cash value of 1981 manufacturing shipments exceeded \$33 billion and included chemicals, food, and tobacco products. Virginia's economic reliance on motor transportation, the import/export volume generated by its ports, and her significance as a north-south bridge state combine to justify a strong commitment to improving motor carrier safety within the state.

Volume of Commercial Motor Vehicle Traffic Transporting Hazardous Materials

Figures showing the number of Virginia commercial motor vehicles transporting hazardous materials are not available. However, of 9,020 commercial motor vehicles inspected by the Virginia Department of State Police during 1982--1984, 1,593 (17.7%) carried hazardous materials. The Virginia State Police responded to 114 spills of hazardous materials over the 1982-1984 period. In addition, they responded to 47 hazardous materials incidents during this same three-year period. While the proportion of inspected vehicles carrying hazardous materials remained virtually constant over this period, the number of spills and incidents attended by the State Police rose from 29 in 1982, to 64 in 1983, to 68 in 1984. This trend indicates a need for increased enforcement of regulations on hazardous materials and response capabilities.

In 1981, Virginia adopted the 49 CFR sections relative to the transport of hazardous materials. In conjunction with this action, the state adopted FMCSR Parts 390-396 in 1982 to support the enforcement of the hazardous materials regulations (see Exhibit III). The Commonwealth is thus prepared to enhance enforcement in this potential problem area through the use of increased manpower under the MCSAP.

Number and Severity of Commercial Motor Vehicle Crashes

This analysis of crashes involving commercial motor vehicles (CMVs) on Virginia's highways is based on data provided by the Virginia State Police in Virginia Crash Facts for the years 1983 and 1984.

Total Crashes

Table 1 sets forth data on the location of CMV crashes on Virginia roads in 1983 and 1984. During this time, CMVs were involved in 5.5% of all the crashes in the Commonwealth. Over 97% of the truck crashes involved either a straight truck or a tractor trailer. The total number of all vehicle and CMV crashes rose between 1983 and 1984. There was a 14.6% increase in motor carrier crashes, from 10,760 in 1983 to 12,331 in 1984. This increase in motor carrier crashes is significant when compared to the increase in crashes of all vehicles. All crashes rose from 196,103 to 213,555, an increase of 8.9%. Even though there were significant increases in the number of crashes in each of the four truck categories, there was little increase in the percentage of these crashes when compared to all crashes and to all motor carrier crashes. Truck crashes, while numerically a much greater crash problem in 1984 than in 1983, increased only slightly as compared with the crash rates of other vehicles. These data indicate that Virginia's effort to stem the numerical growth in CMV crashes would be greatly enhanced by the increased manpower the MCSAP grant would provide.

Table 1

Total Crashes By Carrier Type and Location

Carrier =====	Crashes =====	1983			1984		
		State =====	Urban =====	Rural =====	State =====	Urban =====	Rural =====
Straight Truck	Number	6,970	3,510	3,460	7,823	3,682	4,141
	% Truck Crashes	64.78	71.96	58.82	63.44	68.29	59.68
	% All Crashes	3.55	3.48	3.63	3.66	3.38	3.96
Tractor Trailer	Number	3,519	1,287	2,232	4,199	1,555	2,644
	% Truck Crashes	32.70	26.38	37.95	34.05	28.84	38.10
	% All Crashes	1.79	1.28	2.34	1.97	1.43	2.53
Twin Trailer	Number	34	0	34	55	41	14
	% Truck Crashes	0.32	0.00	0.58	0.45	0.76	0.20
	% All Crashes	0.02	0.00	0.04	0.03	0.04	0.01
Oversize Vehicle	Number	118	50	68	138	68	70
	% Truck Crashes	1.10	1.03	1.16	1.12	1.26	1.01
	% All Crashes	0.06	0.05	0.07	0.06	0.06	0.07
Intercity Bus	Number	119	31	88	116	46	70
	% Truck Crashes	1.11	0.64	1.50	0.94	0.85	1.01
	% All Crashes	0.06	0.03	0.09	0.05	0.04	0.07
Carrier Totals	Number	10,760	4,878	5,882	12,331	5,392	6,939
	% All Crashes	5.49	4.83	6.18	5.77	4.95	6.63
Total All Vehicles	Number	196,103	100,892	95,211	213,555	108,859	104,696

While 48.8% of all vehicle crashes were in rural areas, nearly 55% of the CMV crashes were in these areas. The one exception to this urban/rural split was for twin trailers, a type of carrier relatively new to Virginia. In 1983, all twin trailer crashes were in rural areas, while in 1984 most were in urban areas. The state's experience with these twin tractor crashes is too limited for trends to have been established at this time.

The road networks in the rural areas, which include the interstate highway system, contain the main routes used by CMVs and present the most significant problem area for authorities in enforcing regulatory compliance by carriers. This is because of the rural area's significant percentage of roadway mileage, limited enforcement personnel, and low population density. These factors promote greater speeds by motor carriers and are conducive to the evasion of regulatory constraints; characteristics which have been identified as leading to an increase in crashes.

Property Damage Crashes

Table 2 presents 1983 and 1984 data on property damage crashes in which CMVs and all vehicles were involved. There were 252,503 crashes that resulted in property damage in this two-year period and CMVs were involved in about 6% (14,957). Straight trucks and tractor trailers were involved in roughly 98% of all the property damage crashes that involved a CMV. Over 50% of all CMV property damage crashes were in rural areas, but in 1984, twin trailers and oversize vehicles were more involved in crashes in urban areas. These 1984 figures should be considered as the exception to the general trend of a rural area CMV crash problem.

The data presented in Table 2 show a slight rise in the number of property damage crashes for all vehicles, an increase in the number of CMV crashes, and an increase in the percentage of CMV crashes when compared to total crashes throughout the state. In 1983, CMVs were involved in roughly 5.8% of the 121,192 property damage crashes, while in 1984 motor carriers were involved in 6.0% of the 131,311 crashes.

Personal Injury Crashes

The number and percentage of CMVs involved in personal injury (PI) crashes in 1983 and 1984 are presented in Table 3. When compared to 1983 statewide personal injury crashes (73,753), motor carriers were involved in 4.9%, or 3,608. In 1984, CMVs were involved in 5.2%, or 4,220, of the total 80,896 statewide PI crashes.

Table 2

Property Damage Crashes By Carrier Type and Location

Carrier =====	Crashes =====	1983			1984		
		State =====	Urban =====	Rural =====	State =====	Urban =====	Rural =====
Straight Truck	Number	4,621	2,420	2,201	5,140	2,541	2,599
	% Truck Crashes	65.83	71.39	60.63	64.76	68.68	61.34
	% All Crashes	3.81	3.75	3.89	3.91	3.67	4.19
Tractor Trailer	Number	2,239	924	1,315	2,611	1,063	1,548
	% Truck Crashes	31.89	27.26	36.23	32.90	28.73	36.54
	% All Crashes	1.85	1.43	2.32	1.99	1.53	2.50
Twin Trailer	Number	21	0	21	35	24	11
	% Truck Crashes	0.30	0.00	0.58	0.44	0.65	0.26
	% All Crashes	0.02	0.00	0.04	0.03	0.03	0.02
Oversize Vehicle	Number	71	31	40	88	46	42
	% Truck Crashes	1.01	0.91	1.10	1.11	1.24	0.99
	% All Crashes	0.06	0.05	0.07	0.07	0.07	0.07
Intercity Bus	Number	68	15	53	63	26	37
	% Truck Crashes	0.97	0.44	1.46	0.79	0.70	0.87
	% All Crashes	0.06	0.02	0.09	0.05	0.04	0.06
Carrier Totals	Number	7,020	3,390	3,630	7,937	3,700	4,237
	% All Crashes	5.79	5.25	6.42	6.04	5.34	6.83
Total All Vehicles	Number	121,192	64,609	56,583	131,311	69,267	62,044

Table 3

Personal Injury Crashes By Carrier Type and Location

Carrier =====	Crashes =====	1983			1984		
		State =====	Urban =====	Rural =====	State =====	Urban =====	Rural =====
Straight Truck	Number	2,296	1,070	1,226	2,622	1,123	1,499
	% Truck Crashes	63.64	73.74	56.84	62.13	67.81	58.46
	% All Crashes	3.11	2.98	3.24	3.24	2.86	3.60
Tractor Trailer	Number	1,204	346	858	1,486	476	1,010
	% Truck Crashes	33.37	23.85	39.78	35.21	28.74	39.39
	% All Crashes	1.63	0.96	2.27	1.84	1.21	2.42
Twin Trailer	Number	11	0	11	20	17	3
	% Truck Crashes	0.30	0.00	0.51	0.47	1.03	0.12
	% All Crashes	0.01	0.00	0.03	0.02	0.04	0.01
Oversize Vehicle	Number	47	19	28	42	22	20
	% Truck Crashes	1.30	1.31	1.30	1.00	1.33	0.78
	% All Crashes	0.06	0.05	0.07	0.05	0.06	0.05
Intercity Bus	Number	50	16	34	50	18	32
	% Truck Crashes	1.39	1.10	1.58	1.18	1.09	1.25
	% All Crashes	0.07	0.04	0.09	0.06	0.05	0.08
Carrier Totals	Number	3,608	1,451	2,157	4,220	1,656	2,564
	% All Crashes	4.89	4.03	5.71	5.22	4.22	6.15
Total All Vehicles	Number	73,753	35,966	37,787	80,896	39,206	41,690

This increase in crashes is consistent with the increases found in all crashes and property damage crashes. As in the other crash classifications, straight trucks and tractor trailers accounted for the major portion of PI crashes with over 95% of the CMV total involving these vehicles. When the CMVs are classified by type, the majority of the PI crashes involving straight trucks, tractor trailers, and intercity buses occurred in areas that the state police designated as rural. In 1983, motor carriers were involved in 3,608 crashes, and of that total 60% (2,157) were in rural areas, while in 1984, 2,564, or 62%, of the 4,220 PI crashes were in these rural localities.

As with the other crash data, there were exceptions to this general rule that most motor carrier crashes occurred in rural areas. In 1984, most of the crashes involving twin trailers and oversize vehicles were in urban areas. The data show that for oversized vehicles there were 22 urban and 20 rural crashes. In the twin trailer classification, there were 17 urban and 3 rural crashes, which indicated the greater danger of driving these tandems in more populous areas. Regardless of the reasons for the conflicting results in these two vehicle classifications, the facts suggest that for CMVs the higher percentage of PI crashes were on rural roads.

Fatal Crashes

Data on the involvement of CMVs in fatal crashes during 1983 and 1984 are presented in Table 4.

Straight trucks and tractor trailers accounted for 129 of the 132 fatal crashes (98%) involving CMVs during 1983, while in 1984 they combined for 163 of the 174 CMV fatal crashes (94%). Motor Carriers accounted for 11.4% of all the statewide fatal crashes in 1983, while in 1984 they accounted for 12.9% of all such crashes. The data indicate that motor carriers in general, and each classification of motor carrier, was over-involved in fatal crashes as compared to all crashes. In addition, the divergence for tractor trailers was even more severe, accounting for less than 2.0% of all crashes but more than 7.0% of the fatal crashes.

For motor carriers and all vehicles, there was a high percentage of fatal crashes in rural areas. In 1983, 95 of 132 (72%) of the fatal crashes involving CMVs were in rural areas, while in 1984, 138 of 174 (79%) of the fatal crashes were in these areas. The corresponding figures for all vehicles were 73% and 71%, respectively.

Table 4

Fatal Crashes By Carrier Type and Location

Carrier	Crashes	1983			1984		
		State	Urban	Rural	State	Urban	Rural
Straight Truck	Number	53	20	33	61	18	43
	% Truck Crashes	40.15	54.05	34.74	35.06	50.00	31.16
	% All Crashes	4.58	6.31	3.92	4.53	4.66	4.47
Tractor Trailer	Number	76	17	59	102	16	86
	% Truck Crashes	57.58	45.95	62.11	58.62	44.44	62.32
	% All Crashes	6.56	5.36	7.02	7.57	4.15	8.94
Twin Trailer	Number	2	0	2	0	0	0
	% Truck Crashes	1.52	0.00	2.11	0.00	0.00	0.00
	% All Crashes	0.17	0.00	0.24	0.00	0.00	0.00
Oversize Vehicle	Number	0	0	0	8	0	8
	% Truck Crashes	0.00	0.00	0.00	4.60	0.00	5.80
	% All Crashes	0.00	0.00	0.00	0.59	0.00	0.83
Intercity Bus	Number	1	0	1	3	2	1
	% Truck Crashes	0.76	0.00	1.05	1.72	5.56	0.72
	% All Crashes	0.09	0.00	0.12	0.22	0.52	0.10
Carrier Totals	Number	132	37	95	174	36	138
	% All Crashes	11.40	11.67	11.30	12.91	9.33	14.35
Total All Vehicles	Number	1,158	317	841	1,348	386	962

Though two years of data are not sufficient to allow the establishment of clear crash trends, it does seem that more must be done to police the CMVs on Virginia's highways, with special attention being paid to straight trucks and tractor trailers. From these data, it also appears that rural areas are more hazardous than urban areas. Additional data such as vehicle miles of travel on each roadway system and the numbers of vehicles in each carrier classification are needed to definitively establish the relative degrees of hazard in travel on urban and rural roadways.

Motor Carrier Crashes by Selected Defects

This section discusses the mechanical defects determined by investigating officers to have played a role in crashes. The data were compiled from the 1983 and 1984 Virginia Crash Facts.

Total Crashes

Mechanical defects associated with all crashes involving a CMV are presented in Table 5. In both 1983 and 1984, defective equipment was responsible for 8.9% of all CMV crashes. In 1983, there was a total of 960 motor carrier crashes with crash related defects, 46% (443) with defective brakes, 17% (165) with defective tires, 7% (69) with inoperative lights, and the remainder associated with a number of other vehicle equipment factors. The 1984 data were similar to those in 1983 with respect to brakes; 48% (526) of all motor carriers in a crash had malfunctioning brakes. In 1984, 11% (120) of the crash-involved motor carriers were found to have faulty tires, and 8% had defective lighting equipment.

As has previously been discussed, straight trucks and tractor trailers are the types of carriers most often involved in crashes. These vehicles accounted for over 98% of all crashes in which CMVs were found to have defective equipment.

The data show that the number of crashes involving CMVs with defects is on the rise, from 960 in 1983 to 1,094 in 1984. This 14% increase is an indication that CMVs should be subject to stricter enforcement of the appropriate safety regulations than they are at present. Accompanying this increase in all types of defects were an 18.7% increase in brake defects and a 23.2% increase in lighting defects.

Table 5

Total Crashes By Carrier Type And Selected Defects

Carrier	1983						1984					
	Crashes	Brakes	Lights	Tires	Totals	Totals	Brakes	Lights	Tires	Totals	Totals	
Straight Truck	Number	314	53	116	666	666	354	62	71	732		
	Row %	47.15	7.96	17.42			48.36	8.47	9.70			
	Column %	70.88	76.81	70.30			67.30	72.94	59.17			
Tractor Trailer	Number	123	16	47	277	277	162	23	48	341		
	Row %	44.40	5.78	16.97			47.51	6.74	14.08			
	Column %	27.77	23.19	28.48			30.80	27.06	40.00			
Twin Trailer	Number	0	0	2	4	4	1	0	0	1		
	Row %	0.00	0.00	50.00			100.00	0.00	0.00			
	Column %	0.00	0.00	1.21			0.19	0.00	0.00			
Oversize Vehicle	Number	5	0	0	12	12	6	0	1	14		
	Row %	41.67	0.00	0.00			42.86	0.00	7.14			
	Column %	1.13	0.00	0.00			1.14	0.00	0.83			
Intercity Bus	Number	1	0	0	1	1	3	0	0	6		
	Row %	100.00	0.00	0.00			50.00	0.00	0.00			
	Column %	0.23	0.00	0.00			0.57	0.00	0.00			
Carrier Totals	Number	443	69	165	960	960	526	85	120	1,094		
	Row %	46.15	7.19	17.19			48.08	7.77	10.97			

Property Damage Crashes

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Table 6 illustrates the 1983 and 1984 data on the involvement of vehicle defects in CMV property damage crashes. Of all the carriers involved in crashes resulting in property damage in 1983, 8.3% were found to have some mechanical defect; in 1984 this figure dropped slightly to 8.0%.

In 1983, 584 CMVs were involved in property damage crashes. Faulty brake systems were found in 45% (263) of these crashes, tires accounted for 15.2% (89), and lighting equipment for 8.2% (48). The 1984 figures are similar to those for 1983; of the 639 crash involved CMVs, faulty brakes were present in 45.8% (293), improper lighting systems in 8.4% (54), and defective tires in 12.7% (81).

As with total crashes, in property damage crashes more straight trucks and tractor trailers than the other CMV categories had defects. They combined for over 98% of all the defects found in carriers involved in these types of crashes.

In addition, as was the case with all crashes, there was an increase in the number of CMVs involved in property damage crashes. In 1983, there were 584 PD crashes and in 1984 there were 639. This 9.4% increase in the number of crashes did not result in an increase in the overall crash rate. In fact, motor carriers with defects declined slightly between 1983 and 1984, from 8.3% to 8.0%. This drop seems to be too small to signal a drop in the actual number of CMVs with defects traveling Virginia's roads.

Personal Injury Crashes

Table 7 presents data on the role of defective equipment in CMV personal injury crashes. Defects were found in just over 10% of the PI crashes in which carriers were involved. In 1983, 364 of the 3,608 crash-involved carriers had defects, while in 1984, 442 of 4,200 of them had defects.

Faulty brake systems were identified as a causative factor in 47.5% of the carriers in PI crashes in 1983, and in 51.6% of those in 1984. During 1983, defective tires were found on nearly 33% of the PI crash involved carriers, while in 1984 they were found on 18.8%. Faulty lighting systems were also a consistent problem, being found in 5.5% of the crashes in 1983 and 7.0% of those in 1984.

As with the other crash categories, straight trucks and tractor trailers accounted for well over 95% of the total defects found on CMVs involved in crashes resulting in personal injuries.

Table 6

Property Damage Crashes By Carrier Type And Selected Defects

Carrier	1983						1984					
	Crashes	Brakes	Lights	Tires	Totals	Totals	Brakes	Lights	Tires	Totals	Totals	
Straight Truck	Number	193	36	64	414	414	194	41	55	420		
	Row %	46.62	8.70	15.46			46.19	9.76	13.10			
	Column %	73.38	75.00	71.91			66.21	75.93	67.90			
Tractor Trailer	Number	68	12	24	162	162	91	13	24	203		
	Row %	41.98	7.41	14.81			44.83	6.40	11.82			
	Column %	25.86	25.00	26.97			31.06	24.07	29.63			
Twin Trailer	Number	0	0	1	2	2	1	0	0	1		
	Row %	0.00	0.00	50.00			100.00	0.00	0.00			
	Column %	0.00	0.00	1.12			0.34	0.00	0.00			
Oversize Vehicle	Number	2	0	0	6	6	4	0	1	10		
	Row %	33.33	0.00	0.00			40.00	0.00	10.00			
	Column %	0.76	0.00	0.00			1.37	0.00	1.23			
Intercity Bus	Number	0	0	0	0	0	3	0	1	5		
	Row %	0.00	0.00	0.00			60.00	0.00	20.00			
	Column %	0.00	0.00	0.00			1.02	0.00	1.23			
Carrier Totals	Number	263	48	89	584	584	293	54	81	639		
	Row %	45.03	8.22	15.24			45.85	8.45	12.68			

Table 7

Personal Injury Crashes By Carrier Type And Selected Defects

Carrier	1983						1984					
	Crashes	Brakes	Lights	Tires	Totals	Totals	Brakes	Lights	Tires	Totals	Totals	
Straight Truck	Number	117	17	51	244		159	21	60	309		
	Row %	47.95	6.97	20.90			51.46	6.80	19.42			
	Column %	67.63	85.00	68.00			69.74	67.74	72.29			
Tractor Trailer	Number	52	3	23	111		68	10	23	130		
	Row %	46.85	2.70	20.72			52.31	7.69	17.69			
	Column %	30.06	15.00	30.67			29.82	32.26	27.71			
Twin Trailer	Number	0	0	1	2		0	0	0	0		
	Row %	0.00	0.00	50.00			0.00	0.00	0.00			
	Column %	0.00	0.00	1.33			0.00	0.00	0.00			
Oversize Vehicle	Number	3	0	0	6		1	0	0	2		
	Row %	50.00	0.00	0.00			50.00	0.00	0.00			
	Column %	1.73	0.00	0.00			0.44	0.00	0.00			
Intercity Bus	Number	1	0	0	1		0	0	0	1		
	Row %	100.00	0.00	0.00			0.00	0.00	0.00			
	Column %	0.58	0.00	0.00			0.00	0.00	0.00			
Carrier Totals	Number	173	20	75	364		228	31	83	442		
	Row %	47.53	5.49	20.60			51.58	7.01	18.78			

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As has been indicative of all the other types of crashes analyzed in this report, there was an increase in the number of defective CMVs involved in personal injury crashes. In 1984, there was a 21.4% rise in the total number of vehicles with defects over those in 1983; an increase from 364 to 442. Defective brakes were the most prevalent problem each year, accounting for over half of the vehicles with defective equipment.

Fatal Crashes

Table 8 depicts data on the frequency of carrier defects in CMV fatal crashes. In 1983, 9.1% of CMVs in fatal crashes were found to be defective, while in 1984 the figure dropped slightly to 7.5%. In 1983, 58% (7) of the total of 12 fatal crashes involved carriers with defective brakes, while lights were found to be faulty in 1 fatal crash. The 1984 data were similar, in that brakes were found to be defective in 38% (5) of the 13 fatal accidents, and poor tires were found in 1.

Over the two-year period 1983 - 1984, a total of 25 CMV fatal crashes occurred, and of that number 23 involved straight trucks and tractor trailers. As with the other crash categories, straight trucks and tractor trailers accounted for over 90% of the defective CMVs involved in fatal crashes.

Based on the data contained in the 1983 and 1984 CRASH FACTS, 4.5% of all fatal crashes involving a vehicle other than a motor carrier had an identifiable mechanical defect. For motor carriers, this figure was 8.3%. In light of these data, it is apparent that motor carriers are overrepresented in fatal crashes in which defective equipment is found.

Faulty brake systems are the prevalent defect that was identified on CMVs involved in these types of crashes. While of the different carrier types, the straight trucks and tractor trailers combined for nearly all of the defective vehicles found. The data indicate that these are the problem areas that must be watched more closely, and through MCSAP funding the state can concentrate her efforts on these vehicles.

Classification of Motor Carrier Data

Beginning with 1983, the state of Virginia changed the categorization of commercial motor vehicle crash statistics. Prior to that time, the categories were "bus," "truck or truck tractor," "truck tractor and semitrailer," and "other truck and combination." The new CMV classifications are "city transit bus," "intercity bus," "straight truck," "tractor trailer," and "twin trailer." These changes do not permit pre-1983 data to be compared with later crash data, because there is no way that either the new or the old data can be recombined to fit the opposing classification system.

Table 8

Fatal Crashes By Carrier Type And Selected Defects

Carrier =====	1983				1984				
	Crashes =====	Brakes =====	Lights =====	Tires =====	Totals =====	Brakes =====	Lights =====	Tires =====	Totals =====
Straight Truck	Number	4	0	0	8	1	0	0	3
	Row %	50.00	0.00	0.00		33.33	0.00	0.00	
	Column %	57.14	0.00	0.00		20.00	0.00	0.00	
Tractor Trailer	Number	3	1	0	4	3	0	1	8
	Row %	75.00	25.00	0.00		37.50	0.00	12.50	
	Column %	42.86	100.00	0.00		60.00	0.00	100.00	
Twin Trailer	Number	0	0	0	0	0	0	0	0
	Row %	0.00	0.00	0.00		0.00	0.00	0.00	
	Column %	0.00	0.00	0.00		0.00	0.00	0.00	
Oversize Vehicle	Number	0	0	0	0	1	0	0	2
	Row %	0.00	0.00	0.00		50.00	0.00	0.00	
	Column %	0.00	0.00	0.00		20.00	0.00	0.00	
Intercity Bus	Number	0	0	0	0	0	0	0	0
	Row %	0.00	0.00	0.00		0.00	0.00	0.00	
	Column %	0.00	0.00	0.00		0.00	0.00	0.00	
Carrier Totals	Number	7	1	0	12	5	0	1	13
	Row %	58.33	8.33	0.00		38.46	0.00	7.69	

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Though this change does present a slight inconvenience in comparing pre- and post-1983 data, the new classification system produces data that more accurately reflects the type of carrier using the roadways in Virginia. The new categories help establish that the Commonwealth of Virginia needs to improve motor carrier safety. It should be noted that the new categories of commercial motor vehicles no longer include pickup trucks within one of the categories. Therefore, even though the actual numbers of accidents may appear to have decreased since 1983, the safety problem is actually worsening.

Projected Impact of Increased Enforcement

Increased enforcement of motor carrier safety regulations by Virginia authorities will increase the likelihood that safety defects, driver deficiencies, and unsafe carrier practices will be detected and corrected. Higher levels of enforcement activity may increase operating costs for carriers operating in violation of Virginia and federal laws and regulations, also greater enforcement should reduce deaths and injuries, produce economic savings, and promote safer travel on Virginia's highways.

Virginia citizens will benefit from increased enforcement of motor carrier safety regulations through safer travel on state highways. All motor vehicle operators should experience a reduction in total crashes and a significant reduction in the risk of personal injury or death. Motorists may feel more secure as well: safer motor carrier operation may reduce the perceived threat of heavy trucks and buses to lighter passenger vehicles.

A reduction in crashes should also result in economic savings in a number of areas. During 1983, there were 113,672 crashes involving 196,103 vehicles that resulted in death, personal injury, or property damage, with commercial motor carriers accounting for 5.5% of this total. Virginia Department of Highways and Transportation figures for 1983 show that all of these crashes resulted in \$115,853,360 in property damage and an estimated \$802 million in economic loss. At a rate of \$1,710 in property damage and \$7,043 in economic loss per crash, even a slight decrease in the number of accidents can result in significant economic savings. These savings will be realized by taxpayers through reduced damage to state property and by motorists in the form of lower insurance premiums and reduced personal loss.

Commercial motor carriers may also experience long-run benefits from increased enforcement. Stricter enforcement of motor carrier regulations will increase the risk, and therefore the cost, of operating substandard equipment on state highways. Through enforcement, Virginia can influence carriers to repair equipment defects and institute more rigid maintenance and driving standards. The resulting decrease in

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accidents, mechanical failures, and out-of-service time may well prove cost-efficient for many carriers and enable them to provide better service at a lower ultimate cost. Carriers already having extensive maintenance programs in the interest of service and safety will no longer be forced to compete with carriers running unsafe equipment at a lower cost.

Increased enforcement will positively affect motor carriers, owners and operators, as well as improve highway safety generally, to the benefit of all Virginians.

Ability to Prevent or Discourage Commercial Motor Vehicle Operators from Circumventing Inspection Sites

Virginia anticipates no significant problem from attempts of commercial motor vehicle operators to bypass safety inspections. The Virginia Department of State Police plans to counter this potential problem by shortening inspection time to reduce operator delay, expanding the availability of motor carrier safety teams to cover some alternative routes, and continuing close cooperation with road troopers on routine patrol.

A major reason drivers and carriers are inclined to circumvent inspection sites is to avoid the delay accompanying roadside checks. By improved training and increased hands-on experience, Virginia inspection teams can decrease inspection time to under thirty minutes. This will expedite the process and cause complying operators less annoyance and less delay. This should reduce resistance to roadside safety inspections and alleviate some of the associated problems.

As described in the section on resources to be employed, MCSAP personnel will be used with current staff to establish fifteen two-man motor carrier safety teams under the program. This will allow strategic use of available teams on alternative routes to deter attempts to bypass inspection sites. Commercial motor vehicle operators will be less inclined to travel a longer route to avoid inspection sites if that route may be monitored as well.

Finally, the Department of State Police can detect detouring on a number of routes through coordinating inspection locations with field division personnel. The vehicles used by the inspection teams will be equipped with radios to facilitate communication with road troopers. Systematic patrol of alternative routes will detect and prevent attempts to bypass inspection sites.

Virginia recognizes that circumvention of inspection sites is a potential problem for its program of increased enforcement. Enforcement authorities believe the above responses will sufficiently deter these

activities. However, attempts to bypass will be monitored closely, and the authorities are prepared to use other enforcement strategies if needed.

Current Enforcement Efforts

Agency Responsibility and Resources

The Virginia Department of State Police has the sole responsibility for enforcing motor carrier safety regulations in Virginia. The SCC promulgates rules and regulations governing the supervision, control, and operation of motor carriers and handles economic enforcement through its motor carrier division.

The Department of State Police currently employs twenty-one troopers specializing in enforcement of hazardous materials and motor carrier safety regulations. The members of this force are assigned to the Department's Safety Division. They have received training from the Transportation Safety Institute, Oklahoma City, Oklahoma (DOT); Materials Transportation Bureau, Washington, D. C. (DOT); U. S. Coast Guard, Yorktown, Virginia (DOT); and elements of the chemical, trucking, and railroad industries.

The motor carrier safety troopers are divided into seven three-man teams and assigned to six field districts across Virginia. This force has primary responsibility for enforcing motor carrier safety regulations and devotes its full time to programs relating to motor carrier safety and hazardous materials. The teams conduct roadside safety inspections, post-crash investigations, accident reconstructions, and public awareness and education programs, and respond to hazardous materials spills and incidents.

Roadside safety inspections are the primary means of safety enforcement. During the 1982 - 1984 period, motor carrier safety troopers inspected an average of 3,000 vehicles per year, exclusive of vehicles given a cursory inspection or road check. Inspections are performed at permanent weighing stations, incomplete rest areas, and roadside weighing turnouts (see Exhibit VI).

Current State Authority

The Virginia Department of State Police has the authority to enforce Virginia's laws regarding motor vehicle operation generally and motor carrier operation specifically, as well as the regulations on hazardous materials promulgated by the Virginia State Board of Health and other motor carrier regulations promulgated by the SCC.

The Code of Virginia sets forth most of the rules governing motor carrier operation within the Commonwealth. These rules are in the form of statutes controlling motor vehicle operation generally, as well as individual provisions applicable only to buses, trucks, trailers, or combinations. The state, pursuant to Pub. L. 98-554, 98 Stat. 2829, has completed a review of its laws and regulations pertaining to commercial motor vehicle safety. This compilation is included in this document as Appendix VII.

The statutory framework is supplemented by a series of rules and regulations promulgated by the SCC to govern the supervision, control, and operation of motor vehicle carriers. Carriers are divided into six broad categories, and there is a separate body of regulations for each. The categories are as follows: common carriers of passengers, common carriers of property, special or charter party carriers, sight-seeing carriers, household goods carriers, and petroleum tank truck carriers. SCC regulation of the different categories is essentially the same, with minor variations as appropriate. SCC rules establish tariffs and other economic regulations, but they also contain valuable safety provisions. For instance, even though the Code of Virginia does not require the installation of a fire extinguisher on all commercial motor vehicles, SCC regulations contain a fire extinguisher provision similar to that of the FMCSR.

Virginia's Regulations Governing the Transportation of Hazardous Materials were adopted by the State Board of Health in 1981 pursuant to authority granted under §18.2-278.2 of the Code of Virginia. The regulations include all of 49 CFR Parts 390 through 396, as well as other selected specifications from Title 49 of the Code of Federal Regulations. (For specific Parts, see Exhibit III.) These regulations make Virginia's hazardous materials enforcement authority identical to that for the FMCSR and cover both interstate and intrastate carriers of hazardous materials.

As previously mentioned, Exhibit III contains Virginia statutes, rules and regulations governing motor carrier safety and the transport of hazardous materials. Exhibit IV contains the state rule for authority and right of entry in performing motor carrier safety inspections. For the most part, current rules and regulations are sufficiently comprehensive to enable the success of an enhanced motor carrier safety program. Coordinated enforcement of Virginia statutes and regulations can reduce vehicle defects, driver deficiencies, and unsafe carrier practices to effect a decrease in commercial motor vehicle accident rates. The state also proposes to adopt the FMCSR as the governing statutes for the regulation of motor carriers and the conduct of safety inspections. The proposed enabling legislation is included as Exhibit V.

In addition, upon receiving an MCSAP implementation grant, the State Police and the DMV will work together to require registrants of commercial motor vehicles to declare knowledge of the state's motor carrier safety laws, rules, and regulations. A copy of the form used for this purpose will be submitted to the FHWA upon implementation of the state's MCSAP program.

Costs -- Motor Carrier Safety/Hazardous Materials Enforcement

On November 1, 1981, the Virginia Department of State Police formally instituted a specialized program in motor carrier/hazardous materials safety enforcement. This twenty-one member force, previously described, has as their sole activity the enforcement of state laws and regulations dealing with commercial motor vehicles.

While it is recognized that all road troopers currently have authority to enforce statutes and rules governing motor carriers and have done so in the past, any costs associated with these activities are not included in computations of the base year level of effort. The following costs, supplied by the Department of State Police, are costs associated with the twenty-one member motor carrier safety force. The aggregate cost of this force is used to show the state's expenditure for commercial motor carrier and highway hazardous materials safety programs. These figures are also used to compute the base year level of effort. This computation follows a format established by the FHWA.

Enforcement Costs: November 1, 1981 - June 30, 1982

Salaries and Fringe Benefits	\$367,172
Gasoline	30,190
Telephone	1,288
Meals	8,280
Motor Vehicles	30,921
Telecommunications	8,587
	<hr/>
Total Cost for 8 Months	\$446,393

Base year level of effort ($\$446,393 / 2$) = \$223,196

Source: Department of State Police

Maintenance of Effort

The base year level of effort, which shall be maintained by the state of Virginia, is \$223,196.

Maintenance of enforcement effort by the Virginia State Police will not be difficult to ascertain. Current enforcement efforts in the state are vested in a clearly identifiable field force. This force will be continued by the state and supplemented with MCSAP personnel. Since MCSAP personnel will not replace current staff and since salaries and other costs are expected to increase, Virginia's expenditures on motor carrier safety are expected to rise above the pre-1983 levels.

Objectives of Virginia State Enforcement Plan

Overall Goal

Virginia's State Enforcement Plan is designed to promote safer travel on the public highways of the Commonwealth. The objective is to reduce the number and severity of crashes and hazardous materials incidents involving commercial motor vehicles by substantially increasing the level of enforcement activity and the likelihood that safety defects, driver deficiencies, and unsafe carrier practices will be detected and corrected.

Virginia recognizes that a coordinated program of inspection and enforcement activities is needed to avoid duplication of effort by state and federal agencies as well as by the various agencies within the state. Virginia further recognizes that motor carrier regulations governing operation on state highways should be reasonably consistent with what is required in other parts of the country. Coordinated enforcement of uniform regulations is the best means of promoting compliance by carriers and drivers in order to achieve significant crash reductions.

Virginia's State Enforcement Plan identifies its goals and objectives as short-term (first year), medium-term (second, third, and fourth years), and long-term (fifth year and beyond).

Short-term

During the first year of MCSAP implementation funding, Virginia will increase its motor carrier enforcement staff, reorganize its enforcement activity to increase the volume of roadside safety inspections, and improve reporting, data collection, and evaluation procedures. These short-range objectives will induce greater

compliance with Virginia motor carrier laws and regulations, and should begin to reduce the frequency of commercial motor vehicle crashes.

The first year of operations will be devoted largely to program development and improvement to enable the program to reach its intermediate goals and to ultimately reduce motor carrier accidents and hazardous materials incidents with maximum effectiveness. Virginia identifies the following short-term objectives:

1. Seek legislative and regulatory improvements in Virginia statutes, rules, and regulations consistent with the FMCSR and with greater safety in the operation of commercial motor vehicles in Virginia. (See Exhibit V.)
2. Recruit and train nine new troopers and two support persons to provide increased enforcement and administrative support; MCSAP line staff should work approximately 15,480 hours in the first year.
3. Reorganize staff deployment from seven three-man teams to fifteen two-man teams in order to use increased manpower to expand motor carrier safety team availability by 100%.
4. Increase the number of roadside safety inspections by 2,000 inspections over base effort through increased manpower, more efficient deployment, and a focused effort on inspection activity.
5. Develop a statewide public information campaign to raise awareness of and support for motor carrier safety regulations and safety programs within the general public as well as the motor carrier industry.
6. Improve reporting and data collection procedures regarding motor carrier crashes, vehicle inspections, and hazardous materials incidents.
7. Improve the mechanical condition of Virginia registered heavy commercial vehicles through the implementation of a specialized mandatory annual inspection program for vehicles over 10,001 pounds.

Medium-term

The second, third, and fourth years of Virginia's MCSAP funding will be devoted to establishing state program activity at a steady, effective level, stabilizing data generated by the program, keeping training abreast of changes in hazardous materials transportation, and continuing focused public information and legislative reform campaigns. Virginia identifies the following medium-term objectives:

1. Increase staff and expand training as needed to implement an efficient, comprehensive motor carrier safety program, particularly in the event that funding levels do not allow full enhancement to projected levels in the first year.
2. Seek special legislation to institute safety management audits on Virginia motor carriers.
3. Develop a public information program to focus on a selected motor carrier safety problem each year (e.g., hazardous materials, hours of service, or speed limits). The problem should be one that is indicated by the crash data as a leading cause of motor carrier crashes. This program will follow the general awareness campaign of the first year.
4. Develop a consistent data base from which to evaluate motor carrier safety problems. Reporting and data collection improvements in the first year of implementation may render pre-1984 data inadequate for comparison with data collected after this date. Consistent data must be collected over a period of years in order to accurately evaluate enforcement impact, analyze motor carrier safety trends, and assess the magnitude of selected safety problems.
5. Reduce hazardous materials spills by 5%; develop training, inspection, and emergency procedures to ensure continued safety in the transportation of new hazardous materials which may enter the transportation stream. As Virginia's chemical and nuclear industries expand, new products and wastes will be generated and Virginia must be prepared to handle the safety problems associated with the entry of these new materials into the transportation system.
6. Continue efforts to influence legislative and regulatory reform in a direction that will best facilitate motor carrier safety enforcement.
7. Increase the number of out-of-service violations detected, summonses issued, and warnings given by 30% through increased enforcement activity while reducing the ratio of each to vehicles inspected through a lowered number of defective vehicles operating on state highways.

Long-term

The long-term goal of Virginia's State Enforcement Plan is to reduce the number and severity of crashes and hazardous materials incidents involving commercial motor vehicles. Virginia's long-term

objectives specify areas of continuing emphasis in maintaining the quality motor carrier safety program established in the first years of MCSAP funding. Virginia identifies the following long-term objectives:

1. Maintain roadside safety inspection volume at or above levels of previous years as long as significant motor carrier safety problems warrant concentrated enforcement activity.
2. Continue vehicular roadside cargo area entries on transport vehicles and conduct, as mandated, safety management audits on Virginia motor carriers.
3. Develop training programs to keep staff abreast of new legislation and regulations, enforcement strategies, transportation issues, and current hazardous materials safety problems.
4. Evaluate previous public information campaigns and continue public information/public relations programming in specific areas believed to be most effective in promoting compliance with Virginia laws and regulations and in reducing commercial motor vehicle crashes.
5. Maintain data collection and reporting efforts at levels sufficient to evaluate overall program effectiveness, assess motor carrier safety problems, and target problems for specific program emphasis.
6. Continue efforts in support of legislative and regulatory reform favorable to motor carrier safety enforcement.
7. Reduce total commercial motor vehicle crashes/commercial motor vehicle mile traveled by 5.0%, personal injury crashes/vehicle mile by 7.5%, and fatal crashes/vehicle mile by 10.0% at the end of the fifth year of MCSAP funding.

Resources to be Employed

The Department of State Police will function as the lead agency under MCSAP with full enforcement authority for motor carrier safety and hazardous material regulations.

Personnel

As previously indicated, the Department of State Police currently has a staff employed in the base program. This base activity will be maintained. In addition, and specifically for the MCSAP, it is proposed that staff be increased as follows:

- o 9 troopers
- o 1 clerk-steno "C"
- o 1 clerk-typist "B"

This increase in staff should be made as soon as possible to provide an increase in enforcement effort, public awareness, and administrative support.

The addition of nine troopers will increase the availability of motor carrier safety teams in excess of 100%. This will be accomplished by deviating from the current three-man team concept to the use of two-man teams so as to increase enforcement capabilities by using fifteen two-man teams in place of the present seven three-man teams.

Virginia's motor carrier safety teams --

- o enforce motor carrier safety regulations, hazardous materials regulations, motor vehicle laws, and criminal laws;
- o conduct post-crash investigations of heavy commercial vehicles, including accident reconstruction;
- o conduct audits and safety evaluations of commuter buses;
- o respond to hazardous materials spills and incidents, and
- o participate in public awareness programs through training seminars, teaching assignments, and personal contact with motor carriers.

The clerk-steno "C" will be responsible for the development of computer software and for the proper entry, retrieval, assessment, and filing of all documentation relative to motor carrier safety and hazardous material enforcement. This employee will also be responsible for all administrative correspondence and documentation associated with these programs.

The clerk-typist will support the administrative staff at division headquarters, where a need has been established.

Equipment

The following equipment will be required under the MCSAP:

- o 7 vans for motor carrier safety teams (one at each district office)
- o 14 encapsulated suits (for hazardous material emergency response, 2 for each van)

- o 9 passenger vehicles with auxiliary equipment
- o uniforms and related equipment for troopers
- o office equipment for administrative support staff

SAFETYNET

SAFETYNET is a new automated safety information network. It is designed to make the results of interstate commercial vehicle inspections completed by each member agency available to all members of the network community. The results of state and federal inspection efforts are entered into the system on a regular basis. State work studies inputting data on their own inspection activities can access system-wide summary information on a periodic basis.

Costs - see Table 9.

Table 9

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Estimate of Costs MCSAP -- Enhancement Only

	<u>Federal</u>	<u>State</u>	<u>Total</u>
Labor			
8 Troopers @ \$23,934	\$191,472		\$ 191,472
1 Trooper @ \$28,721	28,721		28,721
1 Clerk-Steno "C" @ \$16,756	16,756		16,756
1 Clerk-typist "B" @ \$12,828	12,828		12,828
Fringe Benefits @ 25 Percent of Direct Labor	62,444		62,444
Specialized Haz. Mat. and Motor Carrier Safety Training, 8 weeks per trooper @ \$500/wk.		\$36,000	36,000
Implementation of SAFETYNET Hardware, software, and other Direct Costs	43,000		43,000
<u>Vehicles</u>			
9 Passenger @ \$11,000		99,000	99,000
7 Vans @ \$18,000	126,000		126,000
<u>Vehicle Equipment</u>	96,000		96,000
16 @ \$6,600			
<u>Uniforms: Inspection & Duty</u>	27,000		27,000
9 @ \$3,000			
<u>Emergency Response Equipment</u>	13,500		13,500
9 @ \$1,500			
<u>Encapsulated Suits</u>	28,000		28,000
14 @ \$2,000			
<u>Administrative Equipment</u>	3,132		3,132
2 desks @ \$336			
2 chairs @ \$40			
2 memory typewriters @ \$947			
2 calculators @ \$91			
2 dictaphone transcribers @ \$152			
Travel and Per Diem	15,000		15,000
Vehicle Maintenance and Fuel	<u>20,000</u>	<u>35,000</u>	<u>55,000</u>
Total	\$683,853	\$170,000	\$853,853
Federal Share	\$683,853 (80 Percent)		
State Share	\$170,000 (20 Percent)		
Total	\$853,853 (100 Percent)		

Methodology

Staffing Utilization

Virginia will continue the operation of its state financed enforcement team effort in conjunction with an increased enforcement effort financed by an MCSAP grant. The proposed budget detailed in Table 9 includes only those funds necessary to finance the additional personnel applied for in this grant.

The nine troopers will be utilized to complement the present field force employed to conduct motor carrier safety and hazardous materials inspections. These inspections are performed at predetermined locations throughout the state as dictated by traffic volume and other statistical information generated by current departmental documentation. The objective of the additional MCSAP manpower will be to augment the existing State Police motor carrier safety field force to extended coverage and reduce response and safety inspection time by changing the present team concept from seven three-man teams to fifteen two-man teams, and by using a newly developed critical item check list. In addition, these MCSAP personnel will monitor drivers and vehicles for drug and alcohol related violations.

The clerk steno "C" will perform duties as assigned to enhance motor carrier safety, hazardous materials, and MCSAP involvement by the Department of State Police.

The clerk-typist will be utilized at division headquarters to handle motor carrier safety, hazardous material, and MCSAP duties.

Virginia's motor carrier safety and hazardous material program was established primarily to conduct roadside safety inspections of heavy commercial vehicles at safe strategic locations throughout the state. All MCSAP enforcement personnel will be utilized for the same basic purpose. These safety inspections are predicated on preestablished schedules.

All inspections by both the state financed personnel and MCSAP staff will be conducted in accordance with the FMCSR as promulgated by the FHWA. The criteria established by MCSAP will be used for placing vehicles and drivers out of service. All records will be maintained according to such requirements as may be established by the FHWA.

All line functions staffed under the federal grant will submit daily activity reports that will be reviewed weekly, monthly, and annually.

Staff funded under MCSAP will be monitored for the quality and quantity of safety inspections performed. Counselling will be

administered as necessary for officers not meeting the quality or quantity standard desired.

Upper level management will supervise the eleven federally funded positions, but these supervisory costs are not included as a cost factor under the MCSAP enhancement.

Projections of Roadside Commercial Vehicle Safety Inspections

The MCSAP line staff funded under the grant will work approximately 15,480 hours in the first year. Initial training will require a significant time commitment before routine safety enforcement activities can proceed. Once trained, Virginia MCSAP personnel will conduct post-crash investigations, accident reconstructions, and motor carrier safety public awareness programs, as well as respond to hazardous materials spills and incidents across the state. These activities reduce the time spent performing roadside safety inspections, but they are equally important to the success of the program. This success will revolve around two major factors: 1. that motor carrier safety and hazardous materials regulations will be investigated and enforced uniformly, and 2. that motor carriers will recognize the state's expertise, and therefore regulatory compliance by the trucking industry will increase.

When performing roadside safety inspections, an inspection team should be able to average one safety inspection every hour. This is an average and is not intended to preclude the officers from performing more than one per hour. Scheduling of officers is premised on the performance of a safety inspection every thirty minutes. Virginia projects that 2,000 safety inspections will be performed during the first program year (enhancement only). In addition to MCSAP personnel, the current motor carrier safety enforcement staff will continue to perform safety inspections as part of their daily enforcement activity.

Self-evaluation Plan

Plan Design

Virginia's evaluation plan is designed to collect data to determine if the quantifiable goals and objectives of its State Enforcement Plan have been met. The plan will operate on three levels designed to correspond to the short-, medium-, and long-term objectives. The first level of inquiry will identify and measure activity data. This will determine whether the enforcement tasks planned for each year have, in fact, been performed. At the second level, data reflecting immediate enforcement impact will be evaluated. This will determine whether recent enforcement activity has increased regulatory compliance by the motor

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carrier industry. Finally, crash data will be collected and analyzed to decide whether the long-term objectives of the plan are being met.

Evaluation Factors

Several categories of activity data are readily available. This information will be captured primarily from employment records and daily activity reports. Activity data to be evaluated include:

- o Number of MCSAP personnel funded, employed, and trained
- o Total annual hours worked by MCSAP personnel; number of MCSAP hours spent inspecting commercial motor vehicles
- o Total vehicles inspected by MCSAP personnel; number of hazardous materials carriers inspected

Data for evaluating immediate enforcement impact will come from daily activity reports, citations, and post-crash investigation reports. Enforcement impact data include:

- o Out of service violations detected; vehicles placed out of service; drivers placed out of service; ratio of out of service violations to vehicles inspected
- o Number of summonses issued; ratio of summonses to vehicles inspected
- o Number of warnings issued; ratio of warnings to vehicles inspected
- o Number of hazardous materials spills attended
- o Probable causes of a sample of commercial motor vehicle crashes as revealed by post-crash investigations.

The Commonwealth of Virginia currently collects reliable information on commercial motor vehicle crashes. The state's reporting categories were revised in 1983. The pre-1983 categories of "bus," "truck or truck-tractor," "truck-tractor and semitrailer," and "other truck and combinations," was changed to the categories of "city transit bus," "intercity bus," "straight truck," "tractor trailer," and "twin trailer." The state is developing an improved accident reporting form which will provide more useful and detailed information about Virginia crashes. Data for analyzing crash frequency and severity will include:

- o Total crashes involving commercial motor vehicles (categorized as described above); ratio of accidents to commercial motor vehicle miles traveled
- o Fatal crashes involving commercial motor vehicles; ratio of fatal accidents to miles traveled
- o Personal injury crashes involving commercial motor vehicles; ratio of personal injury accidents to miles traveled
- o Property damage crashes involving commercial motor vehicles; ratio of property damage accidents to miles traveled
- o The name of the motor carrier under whose authority the load was being transported when the crash occurred

Evaluation Methodology

The evaluation factors listed above will verify the levels of enforcement activity, carrier compliance, and vehicle accidents for the evaluation year. These levels will be compared with the objectives for the year and with measured levels of the previous year(s). In this manner, each evaluation factor can be categorized as follows:

- o No progress shown over previous year
- o Progress is shown over previous year, but falls short of target levels
- o Objectives reached or exceeded

This method is proposed for evaluating program effectiveness in the first year of MCSAP funding. Reporting and data collection improvements planned for the first program year may provide access to more useful evaluation data in subsequent years. Virginia will be receptive to changes suggested by the FHWA or by the experience gained in the first year of the program.

EXHIBIT III

COMMONWEALTH OF VIRGINIA

MOTOR CARRIER SAFETY LAWS, RULES, AND REGULATIONS

Introduction

The state rule adopting federal hazardous materials regulations is reproduced on the following pages. The remaining motor carrier provisions are contained in the Code of Virginia and in regulatory pamphlets published by the SCC. These materials include the following Virginia publications:

- o Motor Vehicle Laws of Virginia, 1981 (with 1984 Cumulative Supplement)
- o Rules and Regulations Governing the Supervision, Control, and Operation of:
 - Common Carriers of Property by Motor Vehicle
 - Common Carriers of Passengers by Motor Vehicle
 - Special or Charter Party Carriers by Motor Vehicle
 - Sight-seeing Carriers by Motor Vehicle
 - Household Goods Carriers by Motor Vehicle
 - Petroleum Tank Truck Carriers

In addition, the state proposes to adopt the FMCSR, and Exhibit V that follows contains a series of proposed modifications to the Code of Virginia that would implement this action.

As authorized by Title 18.2, Chapter 7, Article 3.1 of the Code of Virginia, (1950) as amended, the State Board of Health has, in conformity with the provisions of Title 9, Chapter 1.1:1, Code of Virginia (1950) as amended, adopted the Regulations Governing Transportation of Hazardous Materials. Amendment 2 incorporates by reference the 1981 changes to the U.S. Department of Transportation Regulations cited in Section 3.00.

Preliminary approval by the State Board of Health: March 3, 1981
Public hearing held: April 13, 1981
Adopted by the State Board of Health: May 4, 1981
Effective date: June 22, 1981

Preliminary Approval of Amendment 1: September 2, 1981
Public Hearing on Amendment 1: December 4, 1981
Amendment 1 Adopted: January 10, 1982
Amendment 1 Effective Date: April 20, 1982

Amendment 2 Preliminary Approval: March 17, 1982
Public Hearing on Amendment 2: June 2, 1982
Amendment 2 Adopted: July 21, 1982
Amendment 2 Effective Date: December 1, 1982

Amendment 3 Preliminary Approval: January 12, 1983
Public Hearing on Amendment 3: April 6, 1983
Amendment 3 Adopted: May 18, 1983
Amendment 3 Effective Date: September 1, 1983

Copies can be obtained from:

Division of Solid & Hazardous Waste Management
906 Madison Building, 109 Governor Street
Richmond, Virginia 23219
(804) 786-5271

1.00 General Information and Legislative Authority

1.01 Authority for Regulation

1.01.01 These regulations are issued under the authority of the Code of Virginia, as amended, Title 18.2, Chapter 7, Article 3.1, Sections 18.2-278.1 through 18.2-278.7, Transportation of Hazardous Materials.

1.01.02 The Code of Virginia, Section 18.2-278.2, assigns the Board of Health the responsibility for promulgating regulations governing the transportation of hazardous materials.

1.01.03 The Board is authorized to promulgate rules and regulations designating the manner and method by which hazardous materials shall be loaded, unloaded, packed, identified, marked, placarded, stored and transported, such rules to be no more restrictive than applicable federal regulations.

1.02 Purpose of Regulations. The purpose of these regulations is to regulate the transportation of hazardous materials in Virginia.

1.03 Administration of Regulations

1.03.01 The Commissioner of Health is designated by the Board of Health with the responsibility to carry out these regulations.

1.03.02 The Division of Solid and Hazardous Waste Management is designated as the organizational portion of the Department of Health responsible to the Commissioner for the planning, development and implementation of programs to meet the requirements of Article 3.1, Chapter 7 of Title 18.2.

1.04 Application of Regulations. Subject to the exceptions set forth in §1.05 below, these regulations apply to any person who transports hazardous materials, or offers such materials for shipment.

1.05 Exceptions. Nothing contained in these regulations shall apply to regular military or naval forces of the United States, nor to the duly authorized militia of any state or territory thereof, nor to the police or fire departments of this Commonwealth, providing the same are acting within their official capacity and in the performance of their duties; nor to the transportation of hazardous radioactive materials in accordance with §44-146.30 of the Code of Virginia.

1.06 Regulations Not to Preclude Exercise of Certain Regulatory Powers. Per §18.2-278.5 of the Code, the provisions of these regulations shall not be construed so as to preclude the exercise of the statutory and regulatory powers of any agency, department or political subdivision of the Commonwealth having statutory authority to regulate hazardous materials on specified highways or portions thereof.

1.07 Transportation under United States Regulations. Per §18.1-278.7 of the Code, any person transporting or offering for shipment hazardous materials in accordance with regulations promulgated under the laws of the United States, shall be deemed to have complied with the provisions of these regulations, except when such transportation is excluded from regulation under the laws or regulations of the United States.

1.08 Enforcement

1.08.01 Law Enforcement Officers. The Department of State Police, together with all law enforcement and peace officers of the Commonwealth shall enforce the provisions of these regulations. Per §18.2-278.3 and §32.1-27 of the Code, violation of these regulations is a Class 1 Misdemeanor.

1.08.02 Civil judicial enforcement of these regulations shall be governed by §32.1-27 of the Code of Virginia.

1.09 Application of Administrative Process Act. The provisions of the Virginia Administrative Process Act, which is codified as Chapter 1.1:1 of Title 9, Section 9-6.14:1 *et seq.*, Code of Virginia, 1950, as amended, govern the adoption, amendment, modification, and revision of these regulations, and the conduct of all proceedings hereunder.

1.10 Severability. If any provision of these regulations, or the application of any provision of these regulations to any person or circumstances, is held invalid, the application of such provision to other persons or circumstances, and the remainder of these regulations, shall not be affected thereby.

2.00 Definitions

2.01 Hazardous Material means a substance or material in a form or quantity which may pose an unreasonable risk to health, safety or property when transported, and which the Secretary of Transportation of the United States has so determined by regulation or order;

2.02 Transport or transportation means any movement of property by any mode, and any packing, loading, unloading, identification, marking, placarding, or storage incidental thereto.

2.03 Explosive means "any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion, that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator, or any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive efforts on contiguous objects or of destroying life or limb.

3.00 Compliance With Federal Regulations

3.01 Every person who transports or offers for transportation hazardous materials within or through the Commonwealth of Virginia shall comply with the federal regulations governing the transportation of hazardous materials promulgated by the United States Secretary of Transportation with **amendments promulgated through December 31, 1982** pursuant to the Hazardous Materials Transportation Act, and located at Title 49 of the Code of Federal Regulations as set forth below:

3.01.01 Exemptions—Hazardous Materials Program Procedures in 49 CFR, Part 107, Subpart B.

3.01.02 Hazardous Materials Regulations in 49 CFR, Parts 171 through 177.

3.01.03 Shipping Container Specifications in 49 CFR, Part 178.

3.01.04 Specifications for Tank Cars in 49 CFR Part 179.

3.01.05 Driving and Parking Rules in 49 CFR Part 397.

3.01.06 Motor Carrier Safety Regulations in 49 CFR Parts 390 through 396.

4.00 Hauling Explosives in Passenger-Type Vehicles

Explosives must not be transported in or on any motor vehicle licensed as a passenger vehicle or a vehicle which is customarily and ordinarily used in the transportation of passengers except upon written permission of the State Police and under their direct supervision and only in the amount and between points authorized. If the movement is intracity, the permission of properly designated authority of said city must be secured. Dangerous articles, including small arms ammunition, but not including other types of explosives, may be transported in passenger type vehicles provided the maximum quantity transported does not exceed one hundred pounds in weight. Such transportation shall not be subject to these rules.

5.00 Out of Service

5.01 The Department of State Police shall be the Agents authorized to perform inspections of motor vehicles in operation and to declare and mark vehicles "out of service" as set forth in 49 CFR Part 396.9.

EXHIBIT IV

STATE RULE FOR AUTHORITY AND
RIGHT OF ENTRY

§ 56-334

CODE OF VIRGINIA

§ 56-334

§ 56-334. **Enforcement of motor vehicle laws; appointment, powers and duties, and defense of agents, inspectors and investigators; powers of officers of Department of State Police.** — (a) The Commission may appoint such agents, inspectors or investigators as it may deem necessary and such agents, inspectors or investigators and officers of the Department of State Police shall have the authority and powers of a sheriff to enforce the laws, rules and regulations governing the operation of motor vehicles on the highways of the state, and such agents, inspectors or investigators and officers of the Department of State Police shall have jurisdiction throughout the state and are given authority upon displaying badge or other credential of office to arrest any person found in the act of violating any of the laws, rules and regulations governing the operation of motor vehicles which the Commission is required to administer and they are hereby given authority to stop motor vehicles for such purposes. However, after having stopped the motor vehicle, the agent, inspector or investigator may exercise the power of arrest in any criminal violation coming to his attention, and may issue a summons for violations of Title 46.1 pertaining to operator's and chauffeur's licensing violations and to vehicle registration and licensing violations.

(b) Agents, inspectors or investigators of the Commission and officers of the Department of State Police may stop, and if found necessary examine the lading of any motor vehicle, trailer or semitrailer operating on any highway of this State and may also examine all documents relating to such lading, motor vehicle, trailer, semitrailer or operation thereof for the purpose of determining that it is operating in accordance with the laws, rules and regulations governing the operation of motor vehicles which the Commission is required to administer.

(c) Any agent, inspector or investigator or officer of the Department of State Police is given the authority to remove from any motor vehicle or to secure from any person to whom issued any warrant, exemption card, registration card, tag, plate or other evidence of authority to operate such motor vehicle issued by the Commission which is being improperly used or which has been properly suspended or cancelled and any person refusing to surrender any warrant, exemption card, registration card, tag, plate or other evidence of authority shall be guilty of a misdemeanor, and subject to the penalties provided in § 56-335.

(d) Any agent, inspector or investigator or state police officer shall have the authority to issue a summons and accept a written promise to appear in like manner as is provided in § 46.1-178 of the Code; and the penalty for the violation of such promise shall be as therein provided.

(e) No agent, inspector or investigator appointed by the Commission shall receive any compensation from any source other than through the Commission unless approved by the Commission.

(f) The Commission or any agent, inspector or investigator may request the assistance of any State police officer in the enforcement of the laws, rules and regulations governing the operation of motor vehicles on the highways of the State which the Commission is required to administer and any agent, inspector or investigator shall assist any State police officer when his services are requested.

(g) Every agent, inspector or investigator shall, before entering upon or continuing in his duties, enter into bond with some solvent guaranty company authorized to do business in this State as surety, in the penalty of six thousand dollars and with the condition for the faithful and lawful performance of his duties. Such bond shall be filed in the Commission's office and the premiums thereon shall be paid out of the fund appropriated for the enforcement of the laws regulating the operation of motor vehicles on the highways of the State. All persons injured or damaged in any manner by the unlawful, negligent or improper conduct of any such officer while on duty may maintain an action upon such bond, provided, however, that the aggregate liability of his surety to all such persons shall, in no event, exceed the penalty of such bond.

(h) If any such agent, inspector or investigator shall be arrested or indicted or otherwise prosecuted on any charge arising out of any act committed in the discharge of his official duties, the Commission may employ special counsel approved by the Attorney General to defend such agent, inspector or investigator. The compensation for special counsel employed pursuant to this section shall, subject to the approval of the Attorney General, be paid out of the funds appropriated for the administration of the Virginia motor carrier laws.

(i) Nothing in this section shall be considered as restricting or limiting in any way the powers, authority and duties of the State police. (1936, p. 244; Michie Code 1942, § 4097v(13d); 1950, p. 630; 1956, c. 131; 1958, c. 542; 1960, c. 68; 1973, c. 534; 1981, c. 459.)

The 1981 amendment added the language beginning "and may issue a summons for violations of Title 46.1" to the end of subsection (a).

Law Review. — For an article on the evolution of the State Corporation Commission, see 14 Wm. & Mary L. Rev. 523 (1973).

§ 46.1-8. Stopping vehicles for inspection or to secure information. — Any peace officer who shall be in uniform or who shall exhibit his badge or other sign of authority shall have the right to stop any motor vehicle, trailer or semitrailer, upon request or signal, for the purpose of inspecting the motor vehicle, trailer or semitrailer as to its equipment and operation, its manufacturer's serial or engine number or its contents or load, if such motor vehicle, trailer or semitrailer is a property carrying vehicle or for the purpose of securing such other information as may be necessary. (Code 1950, § 46-16; 1958, c. 541.)

Law Review. — For note, "Automobile License Checks and the Fourth Amendment," see 60 Va. L. Rev. 666 (1974).

Reasonable exercise of police power. — This section and its implementation by a State highway patrolman with respect to a property carrying vehicle is a reasonable exercise of State police power over the operation of motor vehicles on its highways. *Weaver v. Williams*, 509 F.2d 884 (4th Cir. 1975).

Inspection is not limited by statutory powers of officer but he may lawfully position himself by any means available to improve his

view. *Weaver v. Williams*, 509 F.2d 884 (4th Cir. 1975).

Plain view search. — Whether or not inadvertence is an essential element of the orthodox plain view search doctrine is not with respect to a traffic officer on an open highway. "Plain view" in this context means whatever can be seen, whether accidentally or by intentional scrutiny. *Weaver v. Williams*, 509 F.2d 884 (4th Cir. 1975).

State traffic officer may lawfully testify to anything he discerns in or about a motor vehicle on the highway. *Weaver v. Williams*, 509 F.2d 884 (4th Cir. 1975).

EXHIBIT V

MOTOR CARRIER SAFETY REGULATIONS
Proposed Statutes
Title 18.2, Chapter 7, Article 3.2

§18.2-278.11. Definitions. -- As used in this article.

1. "Commercial motor vehicle" means any self-propelled or towed vehicle used on the highways in interstate or intrastate commerce to transport passengers or property if (1) such vehicle has a gross vehicle weight of 10,001 pounds or more, (2) is designated to transport more than 15 passengers, regardless of weight, or (3) is used to transport hazardous materials.

2. "Motor carrier" includes a common carrier by motor vehicle, a contract carrier by motor vehicle, and a private carrier of property by motor vehicle. It also includes the agents, officers, representatives, and employees who are responsible for the hiring, supervision, training, assignment, or dispatching of drivers.

3. "Transport vehicle" is the vehicle owned and/or leased by a motor carrier used in the transportation of goods or persons.

4. "Safety inspection" includes the detailed examination of the vehicles for compliance with the specified sections of the safety regulations, as well as determining the qualifications of the drivers and their hours of service.

§18.2-278.12. Department of State Police to promulgate rules and regulations. -- The Department of State Police, in cooperation with such other agencies of the Commonwealth which may be necessary and appropriate, shall promulgate rules and regulations designating the criteria by which common carriers, contract carriers, and private carriers of property will be required to comply in the areas of driver, vehicle, and cargo safety inspections.

§18.2-278.13. Violations, penalties. -- The provisions of §56-335, which provides for penalties for violations of rules and regulations under Title 56, Chapter 12 of the Code of Virginia, shall apply to this article, mutatis mutandis.

§18.2-278.14. Enforcement of article, rules and regulations. -- The Department of State Police, together with all other law-enforcement officers of the Commonwealth, shall enforce the provisions of this article, and any rule or regulation promulgated hereunder.

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§18.2-278.15. Article not to preclude exercise of certain regulatory powers. -- The provisions of this article shall not be so construed as to preclude the exercise of the statutory and regulatory powers of any agency, department, or political subdivision of the Commonwealth having statutory authority to regulate the safe movement of commercial motor vehicles on specified highways or portions thereof.

§18.2-278.16. Exceptions. -- Nothing contained in this article shall apply to regular military or naval forces of the United States, nor to the duly authorized militia of any state or territory thereof, nor to the police or fire departments of this Commonwealth, providing the same are acting within their official capacity and in the performance of their duties.

§18.2-278.17. Transportation under United States regulations. -- Any person or firm transporting goods or persons in accordance with regulations promulgated under the laws of the United States shall be deemed to have complied with the provisions of this article, except when such transportation is excluded from regulation under the laws or regulations of the United States, or is otherwise excluded by this article.

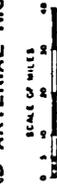
§18.2-278.18. Application of the Virginia Administrative Process Act. -- The Superintendent of State Police is empowered to adopt rules and regulations relative to the transportation of goods and persons by motor carriers, under the Virginia Administrative Process Act, that would supplement and differ from those provisions enumerated in 49CFR, Parts 390 through 397, after a finding by the Superintendent or his staff that these modifications are in the best economic or safety interests of the Commonwealth.

EXHIBIT VI

STATE INSPECTION SITES

DEPARTMENT OF HIGHWAYS
AND TRANSPORTATION

INTERSTATE AND ARTERIAL HIGHWAY SYSTEM



LEGEND

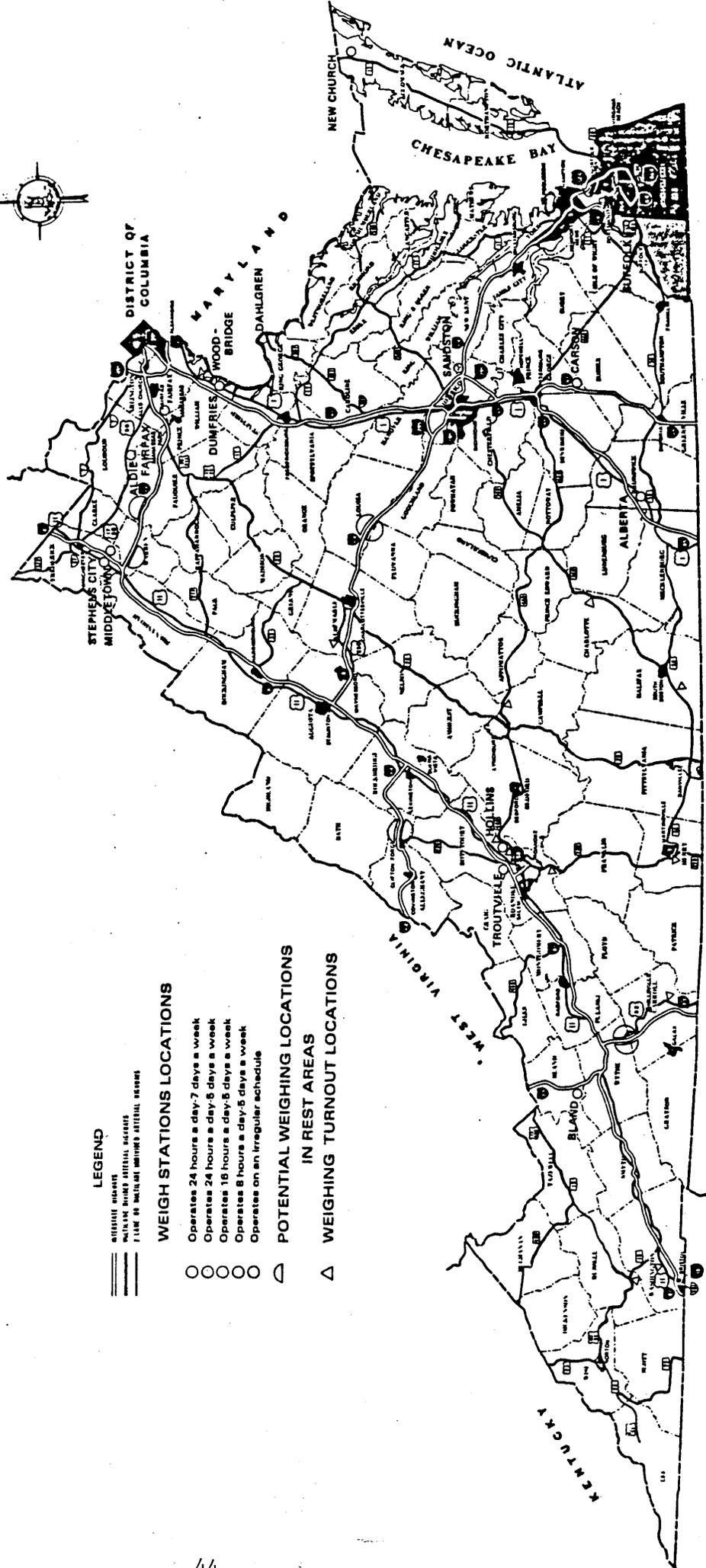
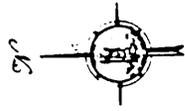
- ==== INTERSTATE HIGHWAY
- ==== MAJOR ARTERIAL HIGHWAY
- ==== OTHER ARTERIAL HIGHWAY

WEIGH STATIONS LOCATIONS

- Operates 24 hours a day-7 days a week
- Operates 24 hours a day-5 days a week
- Operates 18 hours a day-5 days a week
- Operates 8 hours a day-5 days a week
- Operates on an irregular schedule

POTENTIAL WEIGHING LOCATIONS
IN REST AREAS

WEIGHING TURNOUT LOCATIONS



NORTH CAROLINA

TENNESSEE

EXHIBIT VII

MOTOR CARRIER SAFETY LAW COMPILATION

Introduction

On October 11, 1984, Congress passed the Motor Carrier Safety Act of 1984 [the Act], Pub. L. 98-554, 98 Stat. 2829, which was signed into law by the President on October 30, 1984. Pursuant to section 207(c) of the Act, the FHWA issued initial guidelines on January 10, 1985, calling for the submission by states of compilations and analyses of state laws and regulations pertaining to commercial motor vehicle safety on or before April 30, 1985. State laws and analyses will be reviewed by the Commercial Motor Vehicle Safety Regulatory Review Panel [Safety Panel] established under section 209 of the Act. The Safety Panel will determine which laws or regulations pertain to commercial motor vehicle safety and will evaluate the stringency of state laws and regulations relative to Federal Regulations. Upon notification by the Safety Panel of its determinations, the U. S. Secretary of Transportation will initiate rulemaking to determine which state laws and regulations may remain in effect after October 30, 1989.

The Commonwealth of Virginia prepared the following materials pursuant to the above cited Act and submitted the document to the U. S. DOT prior to the April 30, 1985, deadline. Administrators of the Department of State Police and the Highway and Transportation Research Council were informed by federal officials that they were in receipt of the document and that Virginia had submitted one of the best documents from throughout the nation.

The purpose of the report was to comply with the requirements of the Motor Carrier Safety Act of 1984 and its attendant guidelines. In preparing the compilation, Virginia hoped to further the purposes of this Act: to promote the safe operation of commercial motor vehicles, to minimize dangers to the health of operators of commercial motor vehicles and other employees whose employment directly affects motor carrier safety, and to assure increased compliance with traffic laws and with commercial motor vehicle safety and health rules and regulations. Virginia recognizes that improved, more uniform commercial motor vehicle safety measures and strengthened enforcement would increase compliance with both state and federal laws and regulations and would reduce the number of fatalities and injuries and the level of property damage related to commercial motor vehicle operations.

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The following methodology was used in compiling the submission of Virginia provisions relating to the FMCSR and commercial motor vehicle safety:

1. Generally - The Code of Virginia has no integrated section dealing exclusively with commercial motor vehicles. Most of Virginia's traffic, equipment, and safety provisions have an impact on all motor vehicles and are not uniquely applicable to motor carriers. These have generally been assumed to fall within the Guideline B(2) exclusion of "vehicle traffic laws unless they are unique in their applicability to commercial motor vehicles," see 50 Federal Register 1244 (January 10, 1985), and therefore, are not submitted. Also excluded are any provisions not specifically restricting a commercial motor vehicle as that term is defined by the Motor Carrier Safety Act of 1984. Generally, all Virginia statutes, regulations, ordinances, etc., which refer by their terms to any vehicle qualifying as a commercial motor vehicle are included. Also included are some provisions whose common sense purpose substantially impacts on commercial motor vehicle safety, though they may be applicable by their terms to all vehicles.
2. Hazardous Materials - Virginia has adopted by reference, through regulations of the Board of Health, Parts 390-397 of the FMCSR and made them applicable to all vehicles transporting hazardous materials.
3. State Corporation Commission - The SCC is the Virginia agency which regulates intrastate commerce. Statutes and regulations relating to, or promulgated by, the SCC are not included. All SCC provisions which could arguably relate to vehicle safety apply only to vehicles in intrastate commerce. State laws or regulations strictly applicable to intrastate commerce are not included in this review.
4. School Buses - Virginia provisions applicable to school buses are excluded from this compilation. School buses transporting school children to and from school events are exempt from the FMCSR and are not included in the definition of "commercial motor vehicle" used by the Congress in the Motor Carrier Safety Act of 1984. There seems to be no authority for a review of school bus provisions and, therefore, they have been omitted from this draft. If in the future, school bus provisions are included in the review authorized by the Act, Virginia reserves the right to submit its regulations at that time.

- 5. Enabling Statutes - These are excluded as being nonrestrictive in nature, having no impact on commercial motor vehicles. All regulations or ordinances actually enacted were reviewed and those applicable to commercial motor vehicles are included.
- 6. Definitions - Virginia definitional statutes are included opposite their nearest counterparts in Part 390 of the FMCSR.
- 7. Size and Weight - Guideline B(1) excludes "vehicle size and weight laws" from review. See 50 Federal Register 1244 (January 10, 1985). Truck routing laws are generally omitted as size and weight restrictions, though tunnel restrictions and others with a clear safety purpose are included as appropriate.
- 8. International Registration Plan - Code sections and regulations relating to the International Registration Plan are omitted as "licensing or permit laws" having an economic purpose. See Guideline B(3), 50 Federal Register 1244 (January 10, 1985).
- 9. Emission Control Standards - State Air Pollution Control Board regulations relating to emission standards are omitted. These are characterized as outside the scope of commercial motor vehicle safety regulation.

Materials Submitted by Agencies:
Rules, Regulations, Manuals Reviewed

- A. Department of Motor Vehicles
 - International Registration Plan - Va. Rules and Regulations - Oct. 1980
 - International Registration Plan with Official Commentary - Revised Feb. 18, 1985
 - Virginia Driver Improvement Act - Rules and Regulations - May 1978
 - Privacy Protection Act
 - Driver Licensing Guide
 - Virginia Reciprocity Agreements
 - Overload Permit Regulations
- B. Department of State Police
 - Transportation of Hazardous Materials - Operations Manual
 - Virginia Official Inspection Manual

- C. Virginia Milk Commission
Virginia Milk Commission Law
State Milk Commission Rules and Regulations - Oct. 1984
- D. Department of Education
Regulations Governing Pupil Transportation, including Minimum
Standards for School Buses in Virginia - Sept. 1981
- E. State Air Pollution Control Board
Regulations for the Control and Abatement of Air Pollution -
Jan. 1, 1985
- F. Virginia State Board of Health
Regulations Governing the Transportation of Hazardous
Materials - Sept. 1984
Regulations Applicable to Transporters of Hazardous Waste
Transportation of Hazardous Radioactive Materials
Rules and Regulations Governing Emergency Medical Services
(received but not incorporated into this draft)
- G. Department of Alcoholic Beverage Control

Alcoholic Beverage Control Act
Mixed Beverage Laws
3.2 Beverage Laws of Virginia
Beer Franchise Act, and 1984 Supplement
Regulations of the Virginia Alcoholic Beverage Control
Commission - Oct. 1984
- H. Department of Highways and Transportation

Size, Weight, Equipment, and Other Requirements for Trucks,
Trailers, and Towed Vehicles
Chesapeake Bay Bridge Tunnel Rules and Regs. (also applicable
to Hampton Roads Bridge-Tunnel and Elizabeth River Tunnel)
Routes 17 and 15 Tractor Trailer Restrictions
Capital Beltway Lane Restriction
Route 50 (inside Beltway) Weight Restriction
Route 52 Through Truck Restriction
Hampton Roads Tunnel Regulation
Big Walker and East River Tunnels Regulations
Designated and access system of highways for longer and wider
commercial vehicles - mandated under Surface Transporta-
tion Assistance Act of 1982.

INTERSTATE COMMERCIAL MOTOR VEHICLE

Virginia Safety Law Compilation

FMCSR Citation	Laws of Virginia Citation
PART 390 - FEDERAL MOTOR CARRIER SAFETY REGULATIONS: GENERAL	STATE LAWS, RULES, REGULATIONS, AND ORDINANCES
Subpart A - Definitions	
[1]§390.1 Motor vehicle.	[1]§46.1-1(15). Motor vehicle.
[2]§390.2 Vehicle.	[2]§46.1-1(34). Vehicle.
[3]§390.3 Bus.	[3]§46.1-563. Certain ride sharing vehicles are not commercial vehicles or buses.
[4]§390.4 Truck.	[4]§46.1-1(39). Truck.
[5]§390.5 Truck tractor.	[5]§46.1-1(32). Tractor truck. [5]§46.1-1(25). Road tractor.
[6]§390.6 Semitrailer.	[6]§46.1-1(27). Semitrailer.
[7]§390.7 Full trailer.	[7]§46.1-1(33). Trailer.
[8]§390.8 Pole trailer.	
[9]§390.9 Driveaway-towaway operation.	[9]§46.1-335. Vehicles having more than one trailer, etc., attached thereto.
[10]§390.10 Gross weight.	[10]§46.1-161. Definition of "gross weight".
[11]§390.11 Driver.	[11]§46.1-1(17). Operator.
[12]§390.12 Business district.	[12]§46.1-1(1). Business district.
[13]§390.13 Residence district.	[13]§46.1-1(24). Residence district.
[14]§390.15 Motor carrier.	[14]§46.1-1(35). Operation or use for rent or for hire. [14]§46.1-1(36). Truck lessor.

[15]§390.16 Exempt intracity operation.

[16]§390.17 Lightweight vehicle.

[16]§46.1-1(20a). Pickup or panel truck.

Subpart B - General

[1]§390.28 Other terms.

[2]§390.30 State and local laws, effect on.

[3]§390.31 Vehicles used for purposes other than as defined.

[4]§390.32 Motor carrier to require observance of driver regulations.

[5]§390.33 Applicability of regulations.

[6]§390.40 Locations for filing accident reports and notifications.

[7]§390.45 Photographic copies of records or documents.

PART 391 - QUALIFICATIONS OF DRIVERS

Subpart A - General

[1]§391.1 Scope of the rules in this part; additional qualifications; duties of carrier-drivers.

[2]§391.2 General exemptions.

[2]§46.1-1(18a). Passenger car.

[2]§46.1-352. Licenses not required for operating road roller, farm tractor, etc.

FMCSR Citation

Laws of Virginia Citation

[2]§46.1-45. Exemption of motor vehicles, tractors, etc., used for agricultural, horticultural, mining, etc., purposes.

[3]§391.3 Definitions.

[4]§391.5 Familiarity with rules.

[5]§391.7 Aiding or abetting violations.

Subpart B - Qualification and Disqualification of Drivers.

[1]§391.11 Qualifications of drivers.

[1]§46.1-170. Age limits for drivers of public passenger-carrying vehicles.

[1]§46.1-373. Division to issue licenses; endorsements authorizing operation of certain vehicles.

[2]§391.15 Disqualification of drivers.

[2]§46.1-424. Suspension of license for certain violations while transporting explosives, etc.

Subpart C - Background and Character

[1]§391.21 Application for employment.

[2]§391.23 Investigation and inquiries.

[3]§391.27 Record of violations.

Subpart D - Examination and Tests

[1]§391.31 Road test.

[1]§46.1-369. Examination of applicants.

FMCSR Citation

Laws of Virginia Citation

[2]§391.33 Equivalent of road test.

[2]§46.1-369. Examination of applicants.

[2]§46.1-373. Division to issue license; endorsements authorizing operation of certain vehicles.

[3]§391.35 Written examination.

[4]§391.37 Equivalent of written examination.

Subpart E - Physical Qualifications and Examinations

[1]§391.41 Physical qualifications for drivers.

[1]§46.1-357.2. Persons having defective vision; minimum standards of visual acuity and field of vision; tests of vision.

[2]§391.43 Medical examination; certificate of physical examination.

[3]§391.45 Persons who must be examined and medically certified.

[4]§391.47 Resolution of conflicts of medical evaluation.

[5]§391.49 Waiver of certain physical defects.

Subpart F - Files and Records

[1]§391.51 Driver qualification files.

Subpart G - Limited Exemptions

[1]§391.61 Drivers who were regularly employed before January 1, 1971.

- [2]§391.62 Drivers of light weight vehicles.
- [3]§391.63 Intermittent, casual or occasional drivers.
- [4]§391.65 Drivers furnished by other motor carriers.
- [5]§391.67 Drivers of articulated farm vehicles.
- [6]§391.69 Drivers operating in Hawaii.
- [7]§391.71 Intrastate drivers of vehicles transporting combustible liquids.

PART 392 - DRIVING OF MOTOR VEHICLES

Subpart A - General

- [1]§392.1 Scope of the rules in this part.
- [2]§392.2 Applicable operating rules.
- [3]§392.3 Ill or fatigued operator.
- [4]§392.4 Drugs and other substances.
- [5]§392.5 Intoxicating beverage.
- [5]§4-74. Carrying alcoholic beverages in motor vehicle transporting passengers for hire.
- [6]§392.6 Schedules to conform with speed limits.
- [7]§392.7 Equipment, inspection and use.

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[8]§392.8 Emergency equipment, inspection and use.

[8]§46.1-255. Flares and other signals... §46.1-256. Same; when red reflector flares or red lanterns required. §46.1-257. Same; when red flags required.

[9]§392.9 Safe loading.

[9]§46.1-303. Construction, maintenance and loading must prevent escape of contents; Exemptions.

[9]§46.1-304. Fastening load of logs, barrels, etc.

[10]§392.9a Corrective lenses to be worn.

[11]§392.9b Hearing aid to be worn.

Subpart B - Driving of Vehicles

[1]§392.10 Railroad grade crossings; stopping required.

[1]§46.1-245. When drivers of certain vehicles to stop, look and listen at railway crossings,...

[2]§392.11 Railroad grade crossings; slowing down required.

[3]§392.12 Drawbridges; stopping of buses.

[4]§392.13 Drawbridges; slowing down of other vehicles.

[5]§392.14 Hazardous conditions; extreme caution.

[6]§392.15 Required and prohibited use of turn signals.

[7]§392.16 Use of seat belts.

[8]§392.18. Slow moving vehicles; hazard warning signal flashers.

[8]§46.1-211. Driver to give way to overtaking vehicle.

[8]§46.1-299. Requirements of such devices; rules and regulations.

Subpart C - Stopped Vehicles

- [1]§392.20 Unattended vehicles; precautions.
- [2]§392.21 Stopped vehicles not to interfere with other traffic.

[3]§392.22 Emergency signals: stopped vehicles.

- [3]§46.1-299. Requirement of such devices; rules and regulations.
- [3]§46.1-255. Flares and other signals when vehicle disabled in highway after dark.
- [3]§46.1-256. Same; when red reflector flares or red lanterns required.
- [3]§46.1-257. Same; when red flags required instead of flares, etc.

[4]§392.24 Emergency signals; flame-producing.

[5]§392.25 Emergency signals; dangerous cargoes.

[5]§46.1-256. Same; when red reflector flares or red lanterns required.

Subpart D - Use of Lighted Lamps and Reflectors

- [1]§392.30 Lighted lamps; moving vehicles.
- [2]§392.31 Lighted lamps; stopped or parked vehicles.
- [3]§392.32 Upper and lower headlamp beams.
- [4]§392.33 Obscured lamps or reflectors.

Subpart E - Accidents and License Revocation; Duties of Driver

[1]§392.40 All accidents.

[2]§392.41 Striking unattended vehicle.

[3]§392.42 Notification of license revocation.

Subpart F - Fueling Precautions

[1]§392.50 Ignition of fuel; prevention.

[2]§392.51 Reserve fuel.

[3]§392.52 Buses; fueling.

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[1]§392.60 Unauthorized persons not to be transported.

[2]§392.61 Driving by unauthorized person.

[3]§392.62 Bus driver; distraction.

[4]§392.63 Towing or pushing loaded buses.

[5]§392.64 Riding within closed vehicles without proper exits.

[6]§392.65 Sleeper berth; transfer to and from.

[7]§392.66 Carbon monoxide; use of vehicle when detected.

[8]§392.67 Heater; flame-producing; on vehicle in motion.

[9]§392.68 Motive power not to be disengaged.

[9]§46.1-200. Coasting prohibited.

[10]§392.69 Sleeper berth,
 occupation.

PART 393 - PARTS AND ACCESSORIES
 NECESSARY FOR SAFE OPERATION

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[1]§393.1 Scope of the rules in this
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[2]§393.2 Additional equipment
 and accessories.

Subpart B - Lighting Devices,
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[1]§393.9 Lamps operable.

[2]§393.11 Lamps and reflectors,
 small buses and trucks.

[3]§393.12 Lamps and reflectors,
 large buses and trucks.

[4]§393.13 Lamps and reflectors,
 truck tractors.

[5]§393.14 Lamps and reflectors,
 large semi-trailers and full
 trailers.

[6]§393.15 Lamps and reflectors,
 small semi-trailers and full
 trailers.

[7]§393.16 Lamps and reflectors,
 Pole trailers.

[8]§393.17 Lamps and reflectors,
 combinations in driveway-towaway
 operation.

[2][3][4][5][6][7][8] (as applicable)
 §46.1-260. Head lamps on motor
 vehicles.
 §46.1-262. Rear lamps.
 6-1. Virginia Official Inspection
 Manual, State Police. Rear lamps.
 §46.1-262.1. Stop lamps.
 §46.1-265. Dimension or marker
 lights; generally.
 §46.1-265.1. Same; vehicles or
 loads exceeding thirty-five feet.
 9-1. Virginia Official Inspection
 Manual, State Police. Clearance
 lamps.
 §46.1-298. When signal device
 required;...
 §46.1-299. Requirements of such
 devices;...

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[9]§393.18 Lamps on motor vehicles with projecting loads.	[9]§46.1-300. Flag or light at end of load.
[10]§393.19 Requirements for turn signaling systems.	[10]§46.1-298. When signal devices required;... [10]§46.1-299. Requirements of such devices;...
[11]§393.20 Clearance lamps to indicate extreme width and height.	[11]§46.1-265. Dimension or marker lights; generally. [11]9.1 to 9.3. Virginia Official Inspection Manual, State Police.
[12]§393.22 Combination of lighting devices and reflectors.	[12]§46.1-265. Dimension or marker lights; generally.
[13]§393.23 Lighting devices to be electric.	
[14]§393.24 Requirements for head lamps and auxiliary road lighting lamps.	[14]§46.1-260. Head lamps on motor vehicles. [14]§46.1-267. Other permissible and required lights. [14]5-2 to 5-4. Virginia Official Inspection Manual, State Police. [14]§46.1-269. Requirements as to single-beam head lamps. [14]§46.1-270. Requirements as to multiple-beam head lamps.
[15]§393.25 Requirements for lamps other than head lamps.	[15]§46.1-262. Rear lamps. [15]§46.1-262.1 Stop lamps. [15]§46.1-265. Dimension or marker lights; generally. [15]§46.1-265.1. Same; vehicles or loads exceeding thirty-five feet.
[16]§393.26 Requirements for reflectors.	[16]§46.1-265. Dimension or marker lights; generally. [16]§46.1-265.1. Same; vehicles or loads exceeding thirty-five feet.
[17]§393.27 Wiring specifications.	
[18]§393.28 Wiring to be protected.	
[19]§393.29 Grounds.	

- [20]§393.30 Battery installation.
- [21]§393.31 Overload protective devices.
- [22]§393.32 Detachable electrical connections.
- [23]§393.33 Wiring, installation.

Subpart C - Brakes

- | | |
|---|---|
| [1]§393.40 Required brake systems. | |
| [2]§393.41 Parking Brake System. | |
| [3]§393.42 Brakes required on all wheels. | [3]§46.1-280. Brakes on trailers.
[3]4-1. Virginia Official Inspection Manual, State Police. |
| [4]§393.43 Breakaway and emergency braking. | [4]§46.1-280. Brakes on trailers.
[4]4-1. Virginia Official Inspection Manual, State Police. |
| [5]§393.44 Front brake lines, protection. | |
| [6]§393.45 Brake tubing and hose, adequacy. | [6][7][8] A-19.
Virginia Official Inspection Manual, State Police. |
| [7]§393.46 Brake tubing and hose connections. | |
| [8]§393.47 Brake lining. | |
| [9]§393.48 Brakes to be operative. | |
| [10]§393.49 Single valve to operate all brakes. | |
| [11]§393.50 Reservoirs required. | |
| [12]§393.51 Warning devices and gauges. | |

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[13]§393.52 Brake performance.

[13]§46.1-278. Within what distances
brakes should stop vehicles.

[13]2-3. Virginia Official
Inspection Manual, State Police.

Subpart D - Glazing and Window
Construction

[1]§393.60 Glazing in specified
openings.

[2]§393.61 Window construction.

[3]§393.62 Window obstructions.

[4]§393.63 Windows, markings.

Subpart E - Fuel Systems

[1]§393.65 All fuel systems.

[2]§393.67 Liquid fuel tanks.

[2]Virginia Air Pollution Control
Board. Regs. 120-04-3703F.

[3]§393.69 Liquified petroleum gas
systems.

Subpart F - Coupling Devices and
Towing Methods

[1]§393.70 Coupling devices and
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driveaway-towaway operations.

[1]§46.1-336. Connection between
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[1]§46.1-336.1. Tow dolly and
converter gear.

[2]§393.71 Coupling devices and
towing methods, driveaway-towaway
operations.

Subpart G - Miscellaneous
Parts and Accessories

- [1]§393.75 Tires.
- [2]§393.76 Sleeper berths.
- [3]§393.77 Heaters.
- [4]§393.78 Windshield wipers.
- [5]§393.79 Defrosting device.
- [6]§393.80 Rear-vision mirrors.
- [7]§393.81 Horn.
- [8]§393.82 Speedometer.
- [9]§393.83 Exhaust system location.
- [10]§393.84 Floors.
- [11]§393.86 Rear end protection.
- [12]§393.87 Flags on projecting loads.
- [13]§393.88 Television receivers.
- [14]§393.89 Buses, driveshaft protection.
- [15]§393.90 Buses, standee line or bar.
- [16]§393.91 Buses, aisle seats prohibited.
- [17]§393.92 Buses, marking emergency doors.
- [1]§46.1-295.3. Depth of treads on tires.
- [1]13-1. Virginia Official Inspection Manual, State Police.
- [1]§46.1-295.2. Regrooved or recut tires.
- [9]17-1. Virginia Official Inspection Manual, State Police.
- [12]§46.1-300. Flag or light at end of load.

[18]§393.93 Seats, seat belt assemblies, and seat belt assembly anchorages.

[19]§393.94 Vehicle interior noise levels.

Subpart H - Emergency Equipment

[1]§393.95 Emergency equipment on all power units.

[1]§46.1-255. Flares and other signals... §46.1-256. Same;... §46.1-257. Same;...

Subpart I - Protection Against Shifting or Falling Cargo

[1]§393.100 General rules for protection against shifting or falling cargo.

[1]§46.1-303. Construction, maintenance and loading must prevent escape of contents; exemptions.

[1]§46.1-304. Fastening load of logs, barrels, etc.

[2]§393.102 Securement systems.

[3]§393.104 Blocking and bracing.

[4]§393.106 Front-end structure.

PART 394 - NOTIFICATION AND REPORTING OF ACCIDENTS

[1]§394.1 Scope of the rules in this part.

[2]§394.3 Definition of "reportable accident".

[3]§394.5 Definition of "farm-to-market agricultural transportation."

[4]§394.7 Immediate notification of fatal accidents.

- [5]§394.9 Reporting of accidents.
- [6]§394.11 Notice of death after filing report.
- [7]§394.15 Assistance in investigations and special studies.
- [8]§394.20 Instructions for preparing accident reports.

PART 395 - HOURS OF SERVICE
OF DRIVERS

- [1]§395.1 Compliance with, and knowledge of, the rules in this part.
- [2]§395.2 Definitions.
- [3]§395.3 Maximum driving and on-duty time.
- [4]§395.7 Travel time.
- [5]§395.8 Driver's record of duty status.
- [6]§395.10 Adverse driving conditions.
- [7]§395.11 Emergency conditions.
- [8]§395.12 Relief from regulations.
- [9]§395.13 Drivers declared out of service.
- [3]§46.1-201. Driving more than thirteen hours in twenty-four prohibited.

PART 396 - INSPECTION,
REPAIR AND MAINTENANCE

- [1]§396.1 Scope.

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[2]§396.3 Inspection, repair, and maintenance.	[2]§46.1-315. Requirement of inspection;...
	[2]§46.1-315.2. Frequency of inspection.
	[2]§46.1-318. Official inspection stations; approval inspection stickers.
[3]§396.5 Lubrication.	
[4]§397.7 Unsafe operations forbidden.	
[5]§396.9 Inspection of motor vehicle in operation.	[5]§46.1-8. Stopping vehicles for inspection or to secure information.
	[5]§46.1-279.01. Removal of unsafe vehicles; penalty.
[6]§396.11 Driver vehicle inspection report(s).	
[7]§396.13 Driver inspection.	
[8]§396.15 Driveaway - towaway operations, inspection.	
PART 397 - TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND PARKING RULES	
[1]§397.1-397.21 (All sections in this part.)	[1]Virginia has adopted (by regulation of the Board of Health) Parts 390-397 of the FMCSR by Reference to apply to all vehicles transporting hazardous materials: 3.00. Compliance with Federal Regulations. Regulations Governing the Transportation of Hazardous Materials. Appendix 7.4. Hazardous Waste Management Regulations. Virginia State Board of Health.

- [1]Regulations Applicable to Transporters of Hazardous Waste, 7.0.Virginia State Board of Health.
- [1]Regulations for Transportation of Hazardous Radioactive Materials. Virginia State Board of Health.
- [1]Rules and Regulations. Chesapeake Bay Bridge Tunnel, applicable also to Hampton Roads Bridge-Tunnel and Elizabeth River Tunnels. Virginia Department of Highways and Transportation.
- [1]Rules and Regulations governing the use of Big Walker Mountain Tunnel and East River Mountain Tunnel. Virginia Department of Highways and Transportation.
- [1]Stephens City Municipal Ordinance. Sec. 5-27, 5-28. Establishment of motor vehicle routes for vehicles transporting explosives, hazardous chemicals.

PART 398 - TRANSPORTATION OF
MIGRANT WORKERS

- [1]§398.1 Definitions.
- [2]§398.2 Applicability.
- [3]§398.4 Qualifications of drivers or operators.
- [4]§398.4 Driving of motor vehicles.
- [5]§398.5 Parts and accessories necessary for safe operation.
- [6]§398.6 Hours of service of drivers; maximum driving time.
- [7]§398.7 Inspection and maintenance of motor vehicles.

[8]§398.8 Administration
inspection of motor vehicles in
operation.

PART 399 - EMPLOYEE SAFETY AND
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[1]§399.201 Purpose and Scope.

[2]§399.203 Applicability.

[3]§399.205 Definitions.

[4]§399.207 Truck and truck-
tractor access requirements.

[5]§399.209 Test procedures.

[6]§399.211 Maintenance.

VIRGINIA LAWS WHICH ARE ADDITIONAL
TO THE FMCSR

- [1]§46.1-284. Illegal sirens, whistles, etc.;...
- [2]§46.1-290. Rear fenders, flaps or guards required for certain motor vehicles.
- [3]§46.1-333. Extension of loads beyond front of vehicles.
- [4]§46.1-334. Extension of loads beyond line of fender or body.

GEOGRAPHICALLY SPECIFIC PROVISIONS

- [5]Rules and Regulations, Chesapeake Bay Bridge Tunnel, Hampton Roads Bridge-Tunnel, Elizabeth River Tunnels, Big Walker Mountain Tunnel, East River Mountain Tunnel. Virginia Department of Highways and Transportation.
- [6]Truck lane restriction on Capital Beltway from Route 97 to Woodrow Wilson Bridge. Resolution. Virginia Department of Highways and Transportation.

