

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

PROPOSED TEXT

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 6.5, ARTICLE 6,
ADD SECTION 1233.2

**BASIC INSPECTION OF TERMINALS INSPECTION SELECTION
(CHP-R-2017-01)**

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Additions:Times New Roman 12 point font with single underline.
Deletions:Times New Roman 12 point font with strikethrough

**Title 13, California Code of Regulations,
Chapter 6.5. Motor Carrier Safety
Article 6. Carrier Requirements**

§1233.2 Basic Inspection of Terminals Inspection Selection.

For the purpose of selection of terminals for inspections required by Section 34501.12 of the California Vehicle Code (CVC), the department shall incorporate methodologies consistent with those used by the Federal Motor Carrier Safety Administration. The department may utilize the safety performance scoring methodologies of the Federal Motor Carrier Safety Administration, notwithstanding the safety intervention processes, procedures, or policies of any federal, state, or local agency charged with commercial vehicle operation oversight.

(a) Safety Performance Scoring. Safety performance scoring methodologies utilized by the department shall consider those related to the quantitative analysis of safety-related motor carrier safety performance data, collected during the course of any inspection or enforcement contact by representatives of the department or any federal, state, or local safety official.

(1) Safety performance scoring may consider whether the motor carrier transports general freight, hazardous materials, or both.

(2) California Performance Safety Scores may be assigned within the department’s Carrier Information Reporting and Evaluation System. These scores shall reflect scoring required by this section and assist in the application of departmental inspection resources to motor carrier operations deemed by the department to represent the highest risk to public safety, in a manner which mitigates the most serious public safety affect first.

(b) Terminal Inspection Selection.

(1) Selection of terminals for required inspections shall be based on safety performance scoring attributed to the motor carrier entity as a whole, and consider all available safety performance data.

(2) All California terminals of any motor carrier with a safety performance score which meets or exceeds the Federal Motor Carrier Safety Administration Safety Measurement System intervention threshold in any one or more Behavior Analysis and Safety Improvement Category shall be selected for inspection required by Section 34501.12 CVC.

(A) When the safety performance score of a motor carrier remains at or above the intervention threshold in any one or more Behavior Analysis and Safety Improvement Category following the inspection of all terminals, the department need not inspect the terminals again for one year following the assignment of a satisfactory safety compliance rating to all terminals as a result of the required inspection.

(3) A California Performance Safety Score which exceeds 84 shall indicate the carrier's federal safety performance score meets or exceeds the Federal Motor Carrier Safety Administration Safety Measurement System intervention threshold in any one or more Behavior Analysis and Safety Improvement Category.

(4) Safety performance scoring shall be applicable to the motor carrier based on the transportation of hazardous materials or general freight, but not both.

(A) A motor carrier which at any time transports hazardous materials in a quantity requiring the display of placards, a Hazardous Materials Transportation License, or a Hazardous Waste Transporter Registration shall be subject to the safety performance scoring and terminal inspection selection criteria applicable to a hazardous materials transporting motor carrier.

(5) The department may adjust the safety performance scoring and terminal inspection selection process related to the Crash Indicator Behavior Analysis and Safety Improvement Category. In doing so, the department shall consider elevated safety performance scores in the Unsafe Driving, Driver Fitness, Hours of Service Compliance, and Controlled Substances and Alcohol, Behavior Analysis and Safety Improvement Categories within the Safety Measurement System.

(A) A Behavior Analysis and Safety Improvement Category score which meets or exceeds the federal intervention threshold in the Crash Indicator category need not result in a required inspection unless that score meets or exceeds a score of 90.

(B) A Crash Indicator score which meets or exceeds the applicable federal intervention threshold, but does not exceed a score of 89, in association with a score in any one or more of the Behavior Analysis and Safety Improvement Categories outlined in (5) of this subdivision which meets or exceeds 90 percent of the federal intervention threshold in that category shall result in selection of all California terminals of the motor carrier for required inspections.