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State of New Hampshire

DEPARTMENT OF SAFETY
OFFICE OF THE COMMISSIONER
33 HAZEN DR. CONCORD, NH 03305
603/271-2791

JOHN J. BARTHELMES
COMMISSIONER

October 21, 2013

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

Requested Action

Pursuant to MOP 1200 I. (D), authorize the Department of Safety, Division of State Police to pay annual membership dues of \$5,300.00 to the Commercial Vehicle Safety Alliance (CVSA) (VC#173369-B001), Greenbelt, MD, for the period of January 1, 2014 through December 31, 2014. Effective upon Governor and Council approval. Funding source: 80% Federal Funds/20% Highway Funds.

Funding is available in the account titled MCSAP Grant:

02-23-23-234015-31060000	Dept of Safety Div. of State Police MCSAP Grant
026-500251	Membership fees/Organizational Dues
Activity Code:	2313MCSP
Amount:	\$5,300.00

Explanation

Membership in CVSA is critical to the performance of State Police Motor Carrier Troopers' commercial vehicle duties. All State Police Motor Carrier Troopers must be certified to perform commercial vehicle inspections and, through the Commercial Vehicle Safety Alliance, there is a high level of quality and consistency required in order to become certified. Membership also allows our Motor Carrier Troopers the opportunity to have direct input into the making and revision of rules and laws for commercial vehicles.

The CVSA is an association of member states, Canada, and Mexico. It works with these governments to improve commercial vehicle safety and promote uniformity in the enforcement of safety regulations and hazardous materials transportation rules, and it establishes a framework for uniformity, compatibility, and reciprocity across the member jurisdictions.

1. *How long has this organization been in existence and how long has this agency been a member of this organization?* The Commercial Vehicle Safety Alliance (CVSA) has been in existence since 1980 and New Hampshire Department of Safety has been a member since 1987.
2. *Is there any other organization which provides the same or similar benefits which your agency belongs to?* No
3. *How many other states belong to this organization and is your agency the sole New Hampshire state agency that is a member?* All 50 states and U.S. territories belong to CVSA. We are the sole NH agency to belong as we are the only authorized agency to enforce Federal motor carrier regulations.
4. *How is the dues structure established? (Standard fee for all states, based on population, based on other criteria, etc)* The dues are based on the Federal Motor Carrier Safety Administration's MCSAP Grant award formula for each state.
5. *What benefit does the state receive from participating in this membership?* CVSA establishes uniformity and reciprocity of on-highway enforcement and standardizes the criteria for commercial motor vehicle inspections among all the states, Canadian Provinces, and Mexico. This common criterion for regulation and inspection functions is recognized by the

commercial motor vehicle industry and used by law enforcement agencies to place commercial vehicles and drivers out-of-service for unsafe equipment or operation. The Alliance is also a forum to discuss ways to improve the safety of motor carrier operation through enhanced and improved methods of both highway and terminal inspection of vehicles, drivers and cargo.

6. *Are training or educational/ research materials included in the membership? If so, is the cost included? Explain in detail.* CVSA provides the North American Standard Out-of-Service Criteria and training bulletins. In addition, they provide the North American Standard Out-of-Service Criteria for Commercial Highway Vehicles Transporting Transuranics and Highway Route Controlled Quantities of Radioactive Materials and the Level VI Inspection Procedures to conduct these types of inspections. These materials are provided electronically every year included in the membership cost. In addition, CVSA hosts an annual training conference which culminates in a competition that a representative from each state participates in.

7. *Is the membership required to receive any federal grants or required in order to receive or participate in licensing or certification exams? Explain.* The North American Standard Out of Service Criteria published by CVSA is the criteria used by NHSP troopers when determining to place safety deficient vehicles and drivers' out-of-service thereby removing them from NH roadways. In order for New Hampshire to maintain voting rights on the criteria published every year, New Hampshire must remain a member.

8. *Is there any travel included with this membership fee? Explain in detail any travel to include the number of employees involved, the number of trips, destination if known and purposes of membership supported trips.* No, there isn't any travel included with the membership.

9. *Which state agency employees are directly involved with this organization? (Indicate if they are members, voting members, committee members, and/or officers of the organization).* Commercial Motor Vehicle Enforcement troopers assigned to State Police Troop G are CVSA members.

10. *Explain in detail any negative impact to the State if the Agency did not belong to this organization.* This membership is imperative to the mission and duties of the State Police Commercial Motor Carrier Enforcement troopers. These troopers must be certified through CVSA to perform commercial motor vehicle inspections inclusive of passenger carriers and hazardous material transportation. Troopers would lack the uniformity and reciprocity across member jurisdictions and lack the authority to enforce safety regulations and inspect commercial vehicles as referenced in Chapter Saf-C 900 Administrative Rules and applicable NH RSAs. Additionally the membership provides a consistent approach to Commercial Motor Vehicle safety enforcement that is recognized by the motor carrier industry nationwide.

Respectfully submitted,



John J. Barthelmes
Commissioner of Safety



6303 Ivy Lane, Suite 310, Greenbelt, MD 20770-6319
 Phone: 301-830-6143 Fax: 301-830-6144 www.cvsa.org

invoice

Date	Invoice #
10/4/2013	4738

BILL TO:

New Hampshire Dept of Safety
 Business Office
 33 Hazen Drive
 Concord NH 03305
 ATTN: Sgt. John Begin

SHIP TO:

P.O. Number	PTN	Ship Date	Rep
		10/4/2013	

Quantity	Item Code	Description	Price Each	Amount
	2014 Level I M...	Level I Enforcement Member Dues - 2014	5,300.00	5,300.00
TOTAL				\$5,300.00

Please detach and return to CVSA with payment.

Invoice #	P.O. No.	PTN	New Hampshire Dept of Safety Business Office 33 Hazen Drive Concord NH 03305 ATTN: Sgt. John Begin
4738			

Commercial Vehicle Safety Alliance
 6303 Ivy Lane, Suite 310
 Greenbelt, MD 20770-6319

Total	\$5,300.00
Payment Enclosed	

STAFF and PAYROLL

MOP 1200 Memberships, Dues and Licenses

I. Memberships, Dues and Licenses

A. An agency head may authorize payment of reasonable costs for participation fees or dues for membership in an organization which are applied for and registered in the name of the State of New Hampshire, and/or the name of the state agency.

B. An agency head may authorize payment of reasonable costs for participation fees or dues for membership in an organization which are applied for and registered in the name of a particular person:

1. If the membership is:

- a) Understood not to be individual to the person, but for the benefit of the State of New Hampshire;
- b) An expense necessary to support the statutory mission of the agency; and
- c) Not for membership, or any type of affiliation, in a lobbying organization;

AND

2. If:

- a) the organization at issue does not issue a membership solely in the name of a state or a state agency; or
- b) issuance in the name of the state or a state agency would not allow the State to meet its objectives in obtaining such a membership and no means other than issuance in the name of a particular individual would be feasible;

AND

3. The agency documents in writing, and retains in its files, the reasons for its conclusions under 1. and 2. above.

C. RSA 9:8-a requires that individual and departmental dues to national and regional organizations be budgeted in a separate class. That class is 026. Memberships and dues may not be paid out of any other class.

DAS MANUAL OF PROCEDURES

- D. Membership fees or dues that exceed the limits established by the Governor and Council for personnel service contracts must be approved by the Governor and Executive Council.
- E. Requests for approval under paragraph I. D. above shall contain a detailed explanation of why the payment is an expense necessary under the standards set forth in paragraph I. B. above.
- F. The cost of any license required to engage in a specific occupation prior to or during employment is a personal expense and not chargeable to nor reimbursable by the State.

II. Other Sources and Information

- A. Statutes: RSA 9:8-a, I Program Appropriation Unit Format