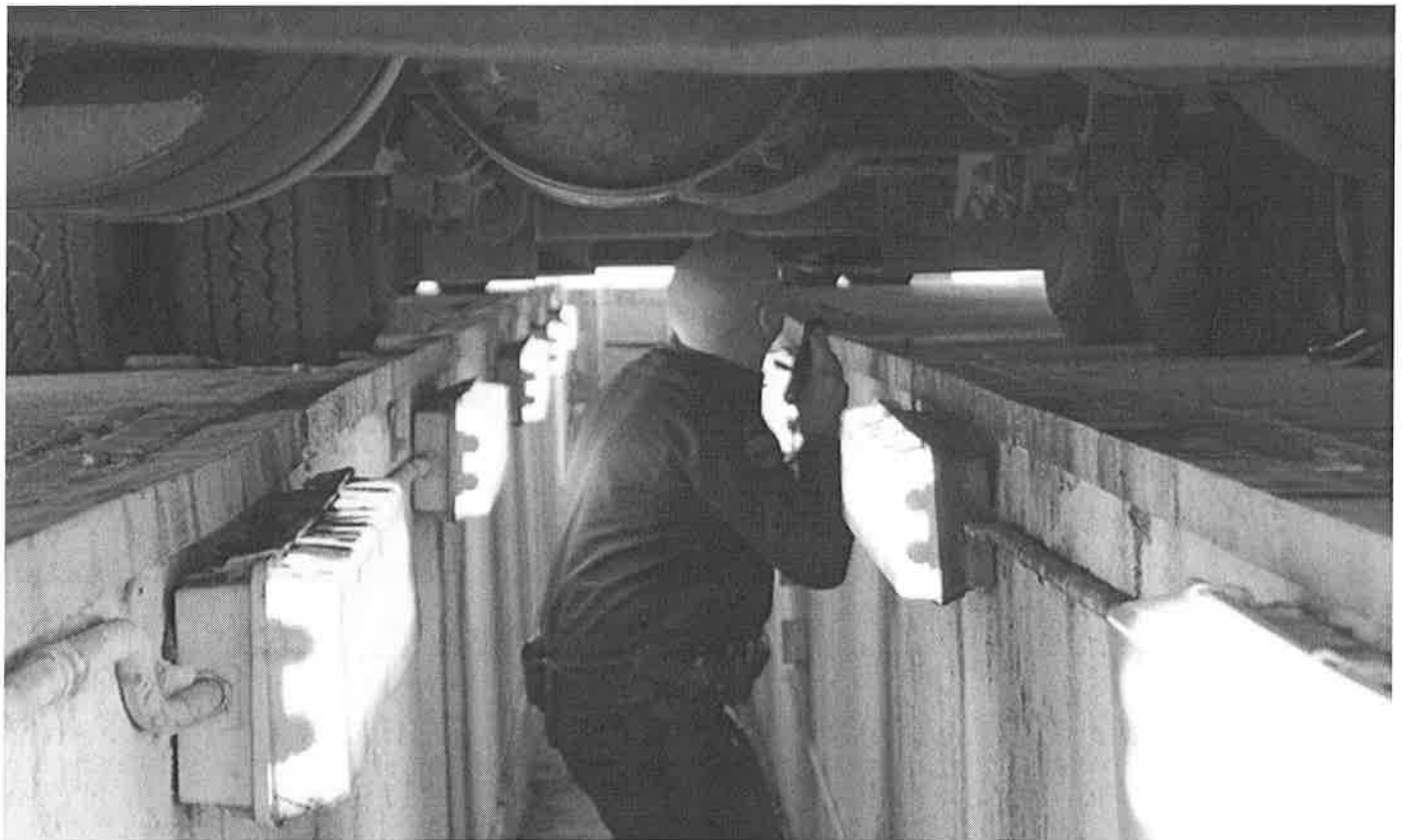


CSA's Distorted Rankings, Part 1: CSA's flawed scoring doesn't stop third parties from judging carriers

By Todd Dills @Channel19Todd on July 17, 2014

CSA'S DATA TRAIL

The article below is part of an ongoing, in-depth series on the U.S. Department of Transportation's Compliance, Safety, Accountability program that analyzes federal inspection, investigation and crash data and offers original reporting. Overdrive and CCJ editors have built a site dedicated to hosting the stories, interactive maps and downloadable data at CCJdigital.com/csa.



Three and a half years after Compliance Safety Accountability began its radical scrambling of how trucking safety is regulated and scored, carriers and owner-operators continue to suffer from its fallout, while bureaucrats struggle to repair the complex program.

Drivers' top 10 problems with CSA



SOURCE: Overdrive's 2014 CSA Survey in March yielded results from 718 respondents, among them company drivers, leased owner-operators and independents, both operators and small fleets, running under their own authority.

Among carriers receiving a ranking in any of the CSA BASICs (Behavioral Analysis and Safety Improvement Categories), none feel the program's inadequacies more than the smallest independents. As one respondent noted in a recent survey on CSA by *CCJ's* sister magazine *Overdrive*, the "small guys get looked at because a single incident shows up as a bigger percentage" with a more dramatic effect on rankings, and "not because we are unsafe."

Unreliable small-fleet scoring was ranked the number one CSA problem in the survey. The Federal Motor Carrier Safety Administration acknowledges CSA problems and strives for improvements. At the same time, the agency rigorously defends the system as is, with confidence in the CSA Safety Measurement System's numerical evaluation of carriers.

"It is a good tool, and it is one of the factors that should be looked at" by all industry participants to measure carrier safety, says Bill Quade, FMCSA associate administrator for enforcement. But a growing chorus of fleets, drivers, owner-operators and others call for scores to be removed from public view until the agency gets the kinks worked out.

In *Overdrive's* poll, seven in 10 called for removal of the scores, and nearly half of that group also wants all inspection and violation data to be removed. Such sentiment reflects the reality that shippers and brokers treat the scores as gospel truth, refusing to do business with fleets that, in some cases, are just as safe as they were prior to CSA's activation.

CSA scores: To be or not to be public

It wasn't so long ago that suppression of CSA scores was an active debate.

In February 2013, a majority of the Motor Carrier Safety Advisory Committee's CSA Subcommittee came close to officially urging the agency to withhold percentile rankings in the BASICS from public view in the CSA SMS. Removing scores from public view, however, was not an option on the table when the CSA subcommittee met this past April.

Removing the scores might not even be feasible as long as the program exists, said subcommittee member Todd Spencer, executive vice president of the Owner-Operator Independent Drivers Association. That's because there's a "cat's-out-of-the-bag" effect in third-party reliance on the scores. If the scores were available only to law enforcement and carriers themselves, Spencer said, some shippers then likely would require disclosure as part of carrier contracts.

Another potential consequence would be a piling on of further workload for an already taxed federal agency with a flood of Freedom of Information Act requests for carrier SMS BASIC scores, said MCSAC member John Lannen of the Truck Safety Coalition of public safety advocates.

Tom Sanderson, chief executive officer of broker/3PL Transplace, told the CSA Subcommittee that "several large shippers have told us that even one BASIC over the intervention threshold knocks a carrier out of their service."

Cream of the Crop Transportation's Hours of Service BASIC score went beyond the intervention threshold a couple of years ago, and owner J. Webb Kline says the small fleet lost as much as \$1.5 million in annual sales. It was "a glaring example of just what an economic disaster this program is for companies like ours that fall through the cracks of the system," Kline says.

After Cream of the Crop went more than a year without an hours violation, his small fleet no longer showed any percentile ranking or score whatsoever in that BASIC, so the FMCSA warning triangle disappeared.

"Many of our old customers told me they checked every month to see if they could use us again, and they called as soon as we lost the triangle," Kline says. "Our sales shot up from an average of \$4,000 a week per truck to well over \$5,000, and often exceeding \$6,000 per week per truck."

It's not just small carriers that take issue with the public nature of SMS scores. Irwin Shires of all-owner-operator Panther Expedited Services says he's "fought very hard" to expose fundamental flaws in CSA's percentile ranking approach. Among the worst, he says, is the scores' public nature.

"Small guys get looked at because a single incident shows up as bigger percentage" with a more dramatic effect on rankings, says a survey respondent, "not because we are unsafe."

In Panther's small Safety Event Group of comparison (with just 73 of the largest straight-truck carriers), the percentile-ranking basis of scores in the Unsafe Driving BASIC "dooms approximately 25 carriers to never being able to improve their score to a point to where their golden triangle goes away," Shires says. That's because in all of the BASIC categories, the system grades on a curve, so that the weakest carriers, no matter how safe they are, fall prey to those who score better.

"It's like a scarlet letter that brokers and shippers are using in determining whether to put their freight on a carrier's truck," Shires says.

CSA's Distorted Rankings, Part 2: SMS, safety rating system disconnect compounds problems

By [Todd Dills @Channel19Todd](#) on July 21, 2014

CSA'S DATA TRAIL

The article below is part of an ongoing, in-depth series on the U.S. Department of Transportation's Compliance, Safety, Accountability program that analyzes federal inspection, investigation and crash data and offers original reporting. Overdrive and CCJ editors have built a site dedicated to hosting the stories, interactive maps and downloadable data at CCJdigital.com/csa.

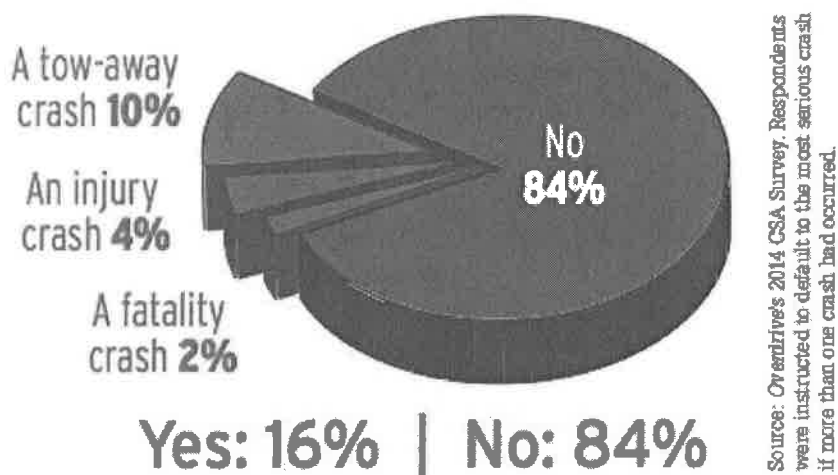


This is the second part of the CSA's Distorted Rankings series, within the CSA's Data Trail series. [Click here to read Part 1.](#)

CSA was intended as an improvement to FMCSA's SafeStat intervention prioritization system that used primarily out-of-service violations and others uncovered during onsite company

investigations, part of the agency's long-running safety rating system. Given the agency's small staff relative to the size of the motor carrier population, the rating system, with Safestat, was limited in the number of carriers it could reach, as well as its ability to update those ratings.

Have you or one of your trucks been involved in a crash in the last two years?



Today, that system remains the official rating element of FMCSA's safety program, using ratings of Satisfactory, Conditional and Unsatisfactory. The CSA SMS runs alongside it, giving more of a real-time window into inspections, violations and crashes.

However, the difference in results produced by each system is marked. In some quarters, eliminating that disconnect is seen as at least a partial solution to public confusion over what the scores mean. It's a key component of why critics feel use of the scores in business decisions is so onerous.

The discrepancies are likely to remain until a Safety Fitness Determination rulemaking is proposed and completed, which will take years. Slated for proposal late this year, according to recent estimates, the SFD would use roadside inspection violation and crash data to rate carriers with enough data in the system; the grading would not be on a curve and would replace the current rating model.

This would give entities such as brokers, shippers and insurance companies a more hard-and-fast indication of a carrier's safety performance. Given SMS reliability problems at the small-carrier level, however, respondents to *Overdrive's* CSA Survey showed only a 20 percent approval for the notion of using inspections and crashes toward establishing the SFD.

In the brokerage realm, ambulance-chasing attorneys are promoting ways to get courts to rule a broker as negligent if the broker contracts with a carrier with a bad CSA score and the carrier later gets in an accident. Using the CSA SMS has thus become due diligence for some, but Tucker Company Worldwide General Counsel Darin Day hammers on the difficulties some brokers and shippers have with the system, particularly given the safety rating/SMS disconnect.

Day came into the April 29-30 CSA Subcommittee meeting with a long list of carriers with four or more BASICS at alert status. Such carriers in many cases would fall clearly into FMCSA's "High Risk Carrier" category, prompting an automatic intervention/review. All of the carriers in his list, however, were rated Satisfactory.

"Who's safe?" he said. "I have no idea."

FMCSA's Quade explains that, minus the SFD rulemaking, the agency's stuck with the SMS/rating disconnect. Putting expiration time limits on carrier safety ratings in the old system, which also has been discussed, likely would require more time-consuming rulemaking, he says. And the current rating system is so far entrenched in the trucking business that doing such would have unintended consequences of its own – expiring Satisfactory ratings would be missed by those carriers.

Legislation introduced in the House of Representatives in May and supported by the Transportation Intermediaries Association of freight middlemen aims to cut down on negligent-selection lawsuits by establishing a motor-carrier "hiring standard" that specifically excludes the CSA BASICS. The legislation stops well short of calling for removal of the SMS scores from public view, however.

Quade says he'd have more confidence in the CSA SMS than in the old rating system: "I would use a Conditional [rated] carrier with good performance data [in the CSA SMS] before I would use a Satisfactory carrier with bad performance data."

Such public use of the data beyond law enforcement, and FMCSA's encouragement of it, is the subject of long-ongoing litigation brought by the Alliance for Safe, Efficient and Competitive Truck Transportation, which represents motor carriers, shippers and brokers, among others.

FMCSA continues to be unmoved by CSA-use realities, given its investment in the program. Yet many in the industry would agree with transportation attorney Henry Seaton's assessment of CSA: "The closest thing to it is over on the military side where you spend 10 years and however much money, and the plane doesn't fly."

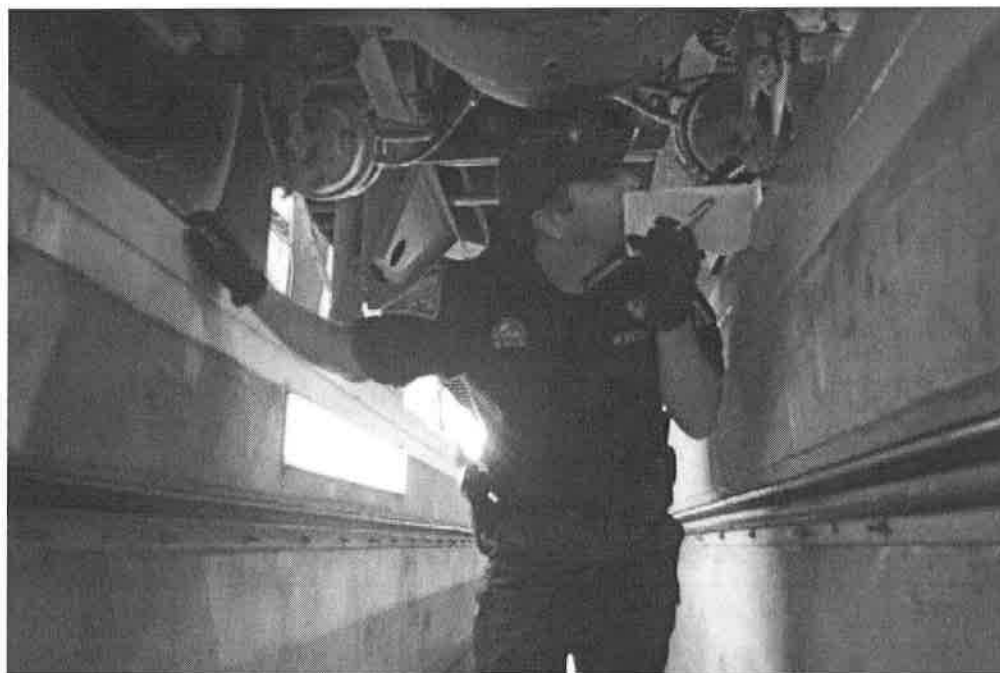
CSA's Distorted Rankings, Part 3: The 'ugly little secret' of CSA

By [Todd Dills @Channel19Todd](#) on July 22, 2014

CSA'S DATA TRAIL

The article below is part of an ongoing, in-depth series on the U.S. Department of Transportation's Compliance, Safety, Accountability program that analyzes federal inspection, investigation and crash data and offers original reporting. Overdrive and CCJ editors have built a site dedicated to hosting the stories, interactive maps and downloadable data at CCJdigital.com/csa.

This is the third and final part of the CSA's Distorted Rankings series, which is part of the broader CSA's Data Trail series. [Click here to see Part 1](#) of the series, and [click here to see Part 2](#).



One initiative to improve Compliance Safety Accountability scoring was an April 30 draft report issued by the CSA Subcommittee of FMCSA's Motor Carrier Safety Advisory Committee. Principle areas of recommendation are as follows:

Violation severity weights

The current weightings given to individual violations in the Safety Measurement System are point values on a scale of 1-10, with 10 the most severe.

A presentation to the subcommittee by Dave Madsen of the Volpe National Transportation Systems Center, a chief architect of the SMS, illustrated what he called the “ugly little secret” of the system: It implies “a level of precision that doesn’t exist.” Only broad groupings of violations, in FMCSA’s view, correlate to crash risk statistically. Severity weighting, Madsen said, might be better if simplified to a basic low, medium and high system.



Tests of such a three-tiered system show that “the companies that move in and out” of alert status in the individual categories don’t change much, Madsen said. Nevertheless, the current system has the added problem of contributing to misperceptions about how the SMS works.

“Everyone’s focused on the individual violation and the points assigned to it. People think ‘points on licenses,’ and third parties take this stuff and create driver scores. ... We don’t calculate driver scores,” at least not for public consumption, Madsen added. “In general, we’re trying to get patterns, and we’re losing the forest for the trees with what we have now.”

The CSA Subcommittee recommended such a modification of the weighting system, but its chief concern with the quality of the system went further. “FMCSA should explore further improving correlation of violation groupings within [Behavioral Analysis and Safety Improvement Categories] to crash risk,” its report reads. This would be in keeping with the ultimate goal of identifying unsafe carriers more effectively.

Subcommittee members also offered other things to test relative to violation severity weights – from an even simpler low-high system, with only two weights, to a more detailed examination of what enters the measurement system in the first place.

Carrier peer groupings in the BASICS

One CSA problem is that a carrier can experience a dramatic swing in its percentile ranking when it moves from one peer group to another. It’s often a particularly hard reality at the small-carrier level.

Madsen gave the MCSAC subcommittee the example of a carrier in the smallest peer group in the Hours of Service Compliance BASIC, which includes carriers getting five to 10 relevant inspections. Assume a carrier with 10 inspections and an absolute measure score of 2.39, putting it right on the 65th percentile in the BASIC, or at the level of FMCSA's intervention alert threshold.

If that carrier then gets a clean inspection, what is typically advised as a way to improve BASIC scores, its absolute measure score falls to 2.25 in Madsen's example. However, its percentile ranking in the Hours BASIC, its hours-performance face to the public, shoots up to 76 because it's now being compared to the next-highest carrier peer group, those with 11-20 relevant inspections.

Madsen also presented on so-called "dynamic peer groups" – a concept FMCSA has considered to guard against such severe changes. The idea is that the lines separating peer groups are not set in stone, but are more fluid and narrowly defined.

Say a carrier has five inspections, he said. "In a dynamic safety event group, [that carrier is] compared to those with five, and I look to those immediately to the left and right" with four to six inspections as well.

The CSA Subcommittee adopted the recommendation to implement such a peer grouping system. It also offered these suggestions for testing:

- Changing the peer group being compared more broadly beyond current exposure measures (i.e., number of inspections/power units/vehicle miles traveled). Other peer grouping considerations could include characteristics of operations, routes, number of violations, geography of where carriers received inspections, etc.
- Consider separating motorcoach operations from truck operations.
- Achieve more uniform crash reporting from states.
- Crash exposure should be taken into account in the Crash Indicator BASIC, and not just vehicle miles traveled. In more high-traffic areas, crash risk is higher.

CSA is ‘unreliable’ and here’s why – and what to tell customers, says ATA

By Kevin Jones [@KevinJonesCCJ](#) on December 9, 2013

CSA'S DATA TRAIL

The article below is part of an ongoing, in-depth series on the U.S. Department of Transportation's Compliance, Safety, Accountability program that analyzes federal inspection, investigation and crash data and offers original reporting. Overdrive and CCJ editors have built a site dedicated to hosting the stories, interactive maps and downloadable data at CCJdigital.com/csa.

Trucking continues to question the accuracy and application of data at the heart of the federal government's regulatory program, and a powerful political voice for the industry has issued a white paper that spells out the points of contention in a way that customers – and maybe even Congress – can understand.

At issue is the statistical correlation between government-assigned trucking company safety scores, based on industry-wide trends, and whether the math holds true for individual carriers.

The American Trucking Associations on Monday issued a white paper on the reliability of scores from the Federal Motor Carrier Safety Administration's Compliance, Safety, Accountability program in evaluating the safety of individual trucking companies.



“ATA continues to support the objectives of CSA and to call for improvements to the program,” says ATA President and CEO Bill Graves. “However, data and methodology problems continue to plague the system and the accuracy and reliability of companies’ scores.”

More simply, as an ATA representative told CCJ, the organization expects member carriers to share the report with third parties – such as shippers and insurers – who might be using CSA scores to evaluate trucking company safety performance.

In its paper, ATA examined data and research on the connection between CSA scores and crash risk, as well as how problems with the data and methodology produce “an imperfect and unreliable measure” of a carrier’s safety record.

Researchers have arrived at “mixed conclusions” with respect to the reliability of Safety Management System scores in identifying unsafe, or crash-prone, motor carriers. Some found virtually no correlation between scores and crash rates in any of the measurement categories, the report states.

Most significantly, ATA suggests that the high number of “exceptions,” or carriers that don’t fit the statistical model, “leads to the conclusion that SMS scores alone ... are, at a minimum, unreliable.”

The American Transportation Research Institute (ATRI), “using a better prediction model,” found a positive relationship between scores and crash risk in three of the publicly available measurement categories (BASICS) but also found that scores in two others bear an inverse relationship to crash risk.

ATRI, the research arm of ATA, also pointed out that the number of alerts that a carrier has been assigned is a strong indicator of crash risk. However, the strength of the relationship varies depending on the BASICS in which the carrier has alerts, since scores in some BASICS more strongly correlate with crash risk than those in others, according to the paper.

“It may make sense for FMCSA to use scores in those categories that correlate positively with crash risk to prioritize companies for enforcement review,” Graves says. “In the process, FMCSA can verify whether or not the scores paint an accurate picture. But third parties need to know that for the purposes of drawing conclusions about individual carriers, the scores are unreliable.”

ATA continues to point to a number of “data and methodology problems that plague the system”:

- A substantial lack of data, particularly on small carriers who comprise the bulk of the industry, hinders the system’s ability to render meaningful scores of comparative performance.
- Regional enforcement disparities likely cause fleets of all sizes operating in jurisdictions with robust enforcement practices to be perceived as less safe than those operating in other regions.
- The questionable assignment of severity weights to individual violations can skew carriers’ scores; and
- The underreporting of crashes by states, the use of crashes that were not caused by motor carriers, and the increased exposure to crashes experienced by carriers operating in urban environments, all affect the significance of Crash Indicator BASIC scores.

To review the full white paper, click [here](#).

CSA is a ‘whim,’ ‘abandonment of duty’ by regulator, transport law expert says

By [Kevin Jones @KevinJonesCCJ](#) on November 5, 2013

CSA'S DATA TRAIL

The article below is part of an ongoing, in-depth series on the U.S. Department of Transportation's Compliance, Safety, Accountability program that analyzes federal inspection, investigation and crash data and offers original reporting. Overdrive and CCJ editors have built a site dedicated to hosting the stories, interactive maps and downloadable data at CCJdigital.com/csa.

(EDITOR'S NOTE: This is Part 1 of a series on CSA, based on several presentations, discussion and follow-up from the recent American Trucking Associations Management Conference and Exhibition. In Part 2, FMCSA explains changes to the carrier safety information website. In Part 3, representatives of ATA and FMCSA debate the program's effectiveness. In Part 4, a data analyst and an FMCSA official debate the state-by-state differences in enforcement.)

Almost three years since its launch, Compliance, Safety, Accountability remains a source of confusion and contention for the American trucking industry. Indeed, the federal government's latest regulatory scheme was a popular topic of discussion at the latest gathering of carrier executives, the American Trucking Associations Management Conference and Exhibition.



At an annual presentation during the conference, the American Transportation Research Institute revealed its list of the most critical issues in trucking and CSA is back to #2, just behind hours-of-service.

That level of interest was obvious in a subsequent presentation on the top legal issues facing the industry.

As outlined by Rob Moseley – a Greenville, S.C.-based attorney and head of the Transportation Industry Group at Smith Moore Leatherwood – the CSA discussion took up a substantial share of the standing-room-only session.

And Moseley likely didn't disappoint those in the audience looking for a highly critical take on CSA and the Federal Motor Carrier Safety Administration's recent oversight efforts.

"FMCSA is proposing to do some things by regulation, but lately they've done a lot of things without regulation – what I would call backdoor regulation – either by guidance or just by throwing it on their website," Moseley said, rolling out his talking points.

As a recent example, he cited the agency's move toward guidance on sleep apnea, which would have cost the trucking industry billions of dollars. A push by the trucking "fortunately" persuaded Congress to intervene and require that FMCSA implement a formal rulemaking, including thorough study, analysis and industry input, he added.

More significantly, the ever-changing CSA program likewise is managed more by agency fiat than by function – or fairness.

"This is an abandonment of FMCSA's duty to regulate safety," Moseley said. "CSA is just the whim of FMCSA. They can change it tomorrow. They don't have to ask us to change it. They don't have to ask for a rulemaking. They just do what they want to do."

Emphasizing that the presentation was not a class on CSA, Moseley did want to introduce some "context": CSA is not a safety rating, although "your customers will say that it is."

He detailed a number of areas in which, he said, CSA doesn't work.

Enforcement inconsistencies between the states. He noted the disproportionate number of speeding tickets written in Indiana and a "careless driving" citation used in South Carolina as a very minor infraction but is coded under CSA as "reckless driving," a serious violation.

Reporting inconsistencies. While the situation has improved, Moseley said "some states are still not doing a very good job of getting the data into the system."

DataQ issues. "They aren't real fond of DataQ changes on the enforcement side," Moseley said, explaining the challenge process typically involves enforcement personnel reviewing and approving their own work.

Due process problems. Even if a carrier has successfully challenged a citation in court, it still can be difficult to remove from the carrier's public CSA record.

Mystery math and relative rankings. CSA is based on a complex algorithm and peer ranking, which seeks to remove the poorest performing carriers, based on the math – but the result is that once the lowest scoring carriers are shut down or have improved their scores, a new set of carriers find themselves at the bottom, Moseley explained.

"Safety has increased, because people at the bottom have gotten better," he said. "But now the people in the middle have dropped. We need something more absolute than just this."

Likewise, the peer groupings can make it difficult on a carrier whose operational profile doesn't match-up well with others in the group.

Compliance, not safety. “What they’re measuring is compliance versus safety,” he said. “We’re not looking at a safety culture as much as a compliance culture.”

Violations of form-and-manner on driver logs and flickering trailer lights, for example, are things carriers must work to reduce under CSA, “but they really don’t change accident frequency,” Moseley said.

Is the bar too high? About half of the carriers who have enough inspection data to have scores in CSA also have “alerts” – they are over the threshold in one of the targeted compliance areas. “So 50 percent of the carriers in this country are unsafe – that’s essentially what this standard is saying,” Moseley said.

He also cited problems with crash accountability and the weights given to the various violations as having a significant impact on a carrier’s CSA public profile.

Use of ‘alerts.’ Moseley took particular exception with the agency’s disclaimer language regarding the “yellow-triangle” symbol: While the agency, on the one hand, spells out that CSA scores don’t imply a safety rating, on the other they encourage public use of the scores as de facto safety assessment.

Indeed, there’s an app for that, thanks to FMCSA. The agency has created a public tool for accessing the CSA scores of passenger carriers, designed to “provide the general public an efficient way to view and access the safety performance of commercial motor carriers.”

Moseley suggested a trucking version wouldn’t be very far behind. (The SaferBus app does not access motor carrier CSA data.)

CSA is a new ratings system, with none the regulatory rulemaking protections. Moseley also cited an FMCSA release aimed at shippers, brokers and insurers, which encouraged them to look beyond the safety rating in determining which carriers to do business with. Indeed, the release specifically advises that a Satisfactory rating does not mean “that the public should ignore other reasonably available information about the motor carrier’s operations.”

That release is no longer online, but it is cited in detail in the pending ASECTT suit to remove CSA scores from public view.

“What they’re saying is, ‘the thing that we, by regulation, are required to look at, ignore – but you pay attention to this thing we just made up,’” Moseley said.

And many customers have followed along.

“Companies that have been Satisfactory for 30 years are finding themselves in this downward spiral,” Moseley said, referring to calls he receives. “When your scores go negative, you get more inspections and you get more negative scores. And it just keeps going.”

He also noted that a serious violation will mean an alert symbol stays on for a full year, regardless of how good a carrier’s score is otherwise in that category.

CSA is harmful to business. “It’s meant the end of some small trucking companies,” Mosley added. “A couple of alerts, and pretty soon you’re out of business.

“I would love to say no one is paying attention to the CSA scores, but that’s just not the case. FMCSA has punted enforcement over to the customer and said, ‘you figure out who’s good.’”

So some shippers are writing contracts that limit carriers to one or scores above the threshold. Moseley encouraged carriers not to enter into those agreements, and instead to explain to customers the objections he was presenting.

CSA opens the door to lawsuits. Moseley also noted the American Association for Justice, an organization of plaintiff’s attorneys, has published a document called “Truck Safety Alert: The Rising Danger from Trucks, and How to Stop It,” which is “the roadmap for how to sue a trucking company.”

“They’re watching CSA as much as anybody,” he said, before explaining the comprehensive strategy plaintiffs’ lawyers use in pursuing a claim and recent cases of note. “They want to bring up all the garbage they can throw it against the wall.”

The audit fundamentals are flawed. Moseley also took issue with FMCSA’s “safety management cycle,” billed by the agency as “the signature tool” in its investigative process.

He characterized the program as the regulator’s misguided and uninformed attempt to decide “how to run a safe trucking company.”

The SMC is not a reg, nor is it even guidance, Moseley added: “It’s just posted on the website.”

He emphasized that all carriers should become familiar with the process, because it forms the basis for how an investigator will evaluate a carrier targeted for review.

Moseley points out that following some of the recommended procedures would put carriers in violation or other federal guidelines, such as non-discrimination or independent contractor rules.

“There’s some wrong stuff on there,” he said. “It’s just wrong, but it’s what FMCSA has blessed for trucking companies.”

And while “there are some good things,” trucking companies need to be prepared to defend themselves from misguided audits.

“Be ready to explain why you’re not adopting the bad ideas,” he concluded.

(Up next, agency officials defend Compliance, Safety, Accountability from additional criticisms of data disparity.)

Risk & Reward: How CSA's data shows discrimination toward small carriers

Todd Dills| [@Channel19Todd](#)
| August 6, 2013 CCJ

CSA'S DATA TRAIL

The article below is part of an ongoing, in-depth series on the U.S. Department of Transportation's Compliance, Safety, Accountability program that analyzes federal inspection, investigation and crash data and offers original reporting. Overdrive and CCJ editors have built a site dedicated to hosting the stories, interactive maps and downloadable data at CCJdigital.com/csa.



EDITOR'S NOTE: Working with CCJ and Overdrive publisher Randall-Reilly Business Media's RigDig Business Intelligence unit, we analyzed inspection and scoring data at the end of the Compliance Safety Accountability program's second year since going live in December 2010. Here we report the results of that analysis, offering insights into enforcement patterns and what you can do to keep your business in the clear. Here's the first part in a five part series.

Based on analysis of data from the first two years of the Federal Motor Carrier Safety Administration's Compliance Safety Accountability program, 20 percent of carriers now have a ranking in at least one of the seven Behavioral Analysis and Safety Improvement Categories that

make up the Safety Measurement System component of CSA. That's a marked improvement over the 12 percent – determined by CCJ – that was cited widely in the program's early days.

Given their higher exposure, the largest carriers are from two to 30 times more likely on average than single-truck independents to have a score above an intervention threshold depending on the BASIC. But large carriers aren't the only ones that find themselves in CSA's crosshairs.

Inspections affect small carriers

The average CSA score for all of the smallest carriers is abnormally low because most small carriers have no public score. Of close to 470,000 carriers with U.S. Department of Transportation operating authority, fewer than half have any SMS data at all, according to recent estimates by Dave Kraft of Qualcomm. Just less than one fourth have a few inspections – but no SMS ranking or "score" in any BASIC.

Data sufficiency standards in the BASICs	
» UNSAFE DRIVING: 3 inspections with a violation	» CONTROLLED SUBSTANCES/ ALCOHOL: 1 inspection with BASIC violation
» HOURS-OF-SERVICE COMPLIANCE: 3 inspections with a violation	» VEHICLE MAINTENANCE: 5 vehicle inspections with BASIC violations
» DRIVER FITNESS: 5 inspections with violations	» HAZMAT: 5 placardable vehicle inspections with BASIC violations
» CRASH INDICATOR: 2 crashes	
NOTE: All BASICs require at least one violation or crash to have occurred within the past 12 months to meet standards to register a score.	

But when they do garner enough inspections to be rated, smaller carriers showing public BASIC scores on average receive negative (higher) scores.

You don't have to look far to find examples of carriers with fewer than 15 trucks that make their CSA scoring debut at the highest level possible – 99.9 – after a single inspection with a violation or two meets data-sufficiency requirements in a BASIC. This makes for no shortage of difficulty in score management.

"If the system is displaying 'less than 5 inspections with a violation' or 'less than 3 inspections with a violation' " in any BASIC, FMCSA representatives say, "it doesn't mean that they might not be on the 'cusp' of generating sufficient negative information for us to assign a high percentile score and intervene."

Drill down into the data – just one click from your main carrier SMS results page – to "see how many inspections with violations that they do have and what those violations are," FMCSA says. Then, "take efforts to avoid similar violations."

Five-truck intermodal fleet owner Thomas Blake experienced this dynamic. He spent more than a year above the alert threshold in the Hours-of-Service (HOS) Compliance BASIC. Now his fleet is back to showing no score on its main SMS profile there. It went from showing a ranking

in the 60s – close to the intervention threshold – to being below data sufficiency standard levels because he had less than three inspections with a violation.

What did it take to get there? He did what a large majority of large carriers have done – invested in electronic onboard recorders. Blake, who at the time had six trucks, spent \$9,000 for an EOBR system. It eliminated minor “form and manner violations,” putting his operation a leg up in the HOS Compliance BASIC over his peers.

The only way to improve scores other than getting clean inspections is to wait. The weight value of inspections and violations in scoring falls after six months and again after 12 months. They drop out of the SMS after two years.

Installing EOBRs, a costly decision that seemingly would please inspectors and improve an independent’s score, in a sense backfired on Blake in the short term but paid off eventually. Because so many inspectors view EOBR-equipped trucks as not worth the time of an inspection, it was unlikely that Blake’s truck actually would get clean driver inspections to improve his score quickly. With time, however, Blake’s HOS Compliance BASIC score disappeared.

[Click here to see Part 2 of this story.](#)

- See more at: <http://www.ccjdigital.com/risk-and-reward-how-csas-data-shows-discrimination-toward-small-carriers-part-1/#sthash.rK0wqR5S.dpuf>

Risk & Reward: CSA data shows independents at risk

Todd Dills

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CSA'S DATA TRAIL

The article below is part of an ongoing, in-depth series on the U.S. Department of Transportation's Compliance, Safety, Accountability program that analyzes federal inspection, investigation and crash data and offers original reporting. Overdrive and CCJ editors have built a site dedicated to hosting the stories, interactive maps and downloadable data at CCJdigital.com/csa.



EDITOR'S NOTE: Working with CCJ and Overdrive publisher Randall-Reilly Business Media's RigDig Business Intelligence unit, we analyzed inspection and scoring data at the end of the Compliance Safety Accountability program's second year since going live in December 2010. Here we report the results of that analysis, offering insights into enforcement patterns and

what you can do to keep your business in the clear. Here's the second part in a five part series. [Click here to see Part 1.](#)

Data analysis since CSA's inception also indicates independent owner-operators have a much greater chance of getting inspected and put out of service than owner-operators and company drivers at the largest carriers. In fact, an independent owner-operator's truck is four times as likely to get inspected as a truck running under the authority of carriers with more than 500 trucks. The likelihood of being placed out of service is three and a half times as great for independents drivers – and almost twice as likely for their vehicles – compared to those of the biggest fleets.

An independent who keeps the number of inspections with an associated violation below the data sufficiency level never will show a score. But the ambiguity of showing no score is too risky for third parties who want to verify safety, say some – such as owner-operator Daniel Miranda, who testified before the U.S. House of Representatives' Small Business Committee last summer.

“FMCSA urges shippers and brokers to use carriers who have been inspected versus those who have not been inspected,” Miranda says. “Moreover, brokers and shippers feel as if they will be liable if they do not use carriers with positive CSA rankings, something only achievable if a carrier undergoes lots of clean inspections. As a small carrier, I am less likely to be inspected. ... It is difficult for me to show a score, much less” a positive score.

That's only part of the dilemma. If the independent does pass the sufficiency thresholds, the carrier is likely to start its publicly scored history above the intervention threshold. Consider the average ranking for single-truck businesses actually scored in each of the BASICS; all except Vehicle Maintenance and Controlled Substances/Alcohol BASICS show rankings above the intervention threshold.

It's not uncommon for an independent owner-operator to have an unlucky rash of inspections with violations that meet data sufficiency standards. In such a case, two years saddled with a score above the intervention threshold can be a long time indeed. Without clean inspections or any new violations, some carriers even have seen scores go up over time as their number of inspections in the system decreases, placing them in a different safety-event peer group for comparison.

- See more at: <http://www.ccjdigital.com/independents-at-risk-in-depth-look-at-csa-data-part-2/#sthash.vBKGTpPC.dpuf>