



## **REGULATORY NEWS BULLETIN....**

# **FMCSA announces new and expanded Crash Preventability Determination Program (CPDP)**

May 6, 2020

Motor carriers and drivers can now challenge the preventability of certain crashes with the relaunch of the expanded Federal Motor Carrier Safety Administration's (FMCSA) Crash Preventability Determination Program (CPDP).

### **How the program works**

The FMCSA has identified ten (10) crash types as non-preventable. Commercial motor vehicle crashes meeting the expanded criteria, occurring on or after August 1, 2019, are eligible for consideration under the program.

The program enables motor carriers to improve their CRASH CSA scores by removing point consideration for limited preventable DOT Accidents (CRASH).

Motor carriers and drivers must use the online Data-Qs system to present each CHALLENGE.

1. Any accident (Crash) after August 1, 2019 which meets one of the new 10 crash types can be DataQ ed for official preventability determination and classification.
2. If the crash is determined under this program to be "preventable" it shall remain on the SMS record of the carrier and driver without point value.
3. This means it shall not negatively impact the "Crash Basic" but will remain on the public accessible SMS database as an event.
4. Determination by FMCSA as Preventable has no impact on post-accident testing or other requirements such as inclusion in determining Carrier Accident ratio during audits under Factor 6. It will assist a carrier which files a formal challenge under Part 385 to a Safety Rating Downgrade resulting from a CR, only if the downgrade is the result of Factor 6.

The Final Rule was published on May 6, 2020 starting on page 27017 under Docket No. FMCSA-2014-0177. If you have any questions or concerns regarding the CPDP please feel free to contact **NATC at 1-609-426-0555 or [www.49CFR.com](http://www.49CFR.com) or E-Mail us at [MAIL@NATC-Inc.com](mailto:MAIL@NATC-Inc.com)**

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