

Guidance Regarding the Elimination of the States' MCS-150
Updating Requirements and Follow-up Information
from the PRISM National Conference Call

PURPOSE

The purpose of this memorandum is to provide notice of the revised Performance Registration and Information Systems Management (PRISM) Implementation Requirements for Fiscal Year (FY) 2014. This year's changes include eliminating the MCS-150 update requirement; denying registration for carriers that have not met the biennial update requirement, as specified by Unified Registration System (URS); and re-categorizing the remaining PRISM requirements. Also included in this memorandum are answers to questions posed during the December 2013 PRISM National Conference Call.

BACKGROUND

On December 4, 2013, the Office of Enforcement and Compliance held a PRISM National Conference Call to discuss changes to the PRISM Implementation Requirements; to discuss the PRISM Target File updates; and to review the impact of the URS final rule on the PRISM program.

As a result of that call, a decision was made to eliminate the Motor Carrier State Improvement Process (MCSIP) step that requires the State to update the MCS-150 Form when vehicles are registered, and to revise the PRISM requirements language to accommodate this change. Because of this change, there are now 15 items required for full PRISM implementation. An updated list is provided as an attachment. In addition, these changes were included in the PRISM FY 2014 Notice of Funding Availability. Lastly, responses to questions asked during the call are included.

INFORMATION

Validating the MCS-150

The PRISM requirement to validate the MCS-150 Form before registering a vehicle is hereby eliminated. All other PRISM requirements will remain the same. The remaining 15 requirements for full implementation have been re-categorized into five subgroups that reflect the different areas of PRISM implementation.

All systems will need to remove the edit that checks to see if the MCS-150 "Last Update Date" has been updated in the past year. Online International Registration Plan (IRP) systems must also remove the MCS-150 date check, so that the carrier can continue their registration process. If the systems cannot be changed prior to the roll out in March 2014, PRISM States can continue with the current MCS-150 edit checks but should not require the update until their system is changed. To align with Unified Registration System (URS) biennial registration, the change to

eliminate the MCS-150 date check should be completed as soon as possible. States may use current grant funds to make the changes, or may submit a new request for additional funds, if warranted.

MCSIP Step 52: Biennial Update not Complete

As required by the URS final rule, FMCSA will deactivate the U.S. Department of Transportation (DOT) number for any motor carrier that fails to complete the required biennial update and assign a MCSIP step 52 “*Biennial Update not Completed*” designation in the Motor Carrier Management Information System (MCMIS). The IRP and Department of Motor Vehicles (DMV) offices in PRISM States are no longer required to validate, at the time of registration, that the MCS-150 information has been updated within the past year.

Carriers that fail to complete the biennial update will be included in the PRISM Target File and treated as out-of-service carriers. Therefore, they should be denied registration. If the carrier does not update its registration within 6 months, and has no recent activity, its DOT number will be set to ‘Inactive’ status in MCMIS. At that time, the MCSIP step will be changed from 52 to 0, and the carrier will be removed from the PRISM Target File.

The process of placing carriers that do not comply with the biennial update requirement out of service is scheduled to begin in March 2014. This means that, starting in March 2014, there will be carriers in the PRISM Target File with a MCSIP step 52 code. FMCSA expects the Target File to grow incrementally over the next 6 months.

To prepare for rollout of enforcement on the biennial update requirement, PRISM States should ensure that their IRP/DMV systems include denying vehicle registration to a carrier that has a DOT number with a MCSIP step 52 code. The MCSIP step 52 code has been included in the system since December 2010. Although all existing IRP/DMV systems should be ready to handle this MCSIP code, States should confirm with their systems vendors and/or in-house programmers that the MCSIP step of 52 is included.

Attached for your convenience are the revised PRISM Implementation Requirements (Attachment A), a series of questions and answers from the conference call (Attachment B), and the revised MCSIP steps, which now include MCSIP step 52 (Attachment C). This chart is posted on www.fmcsa.dot.gov in the PRISM Document Library.

Should you have any questions or concerns, please contact Monique Riddick at (202) 366-6407 or via email at monique.riddick@dot.gov.

PRISM Implementation Requirements

Registration Program Requirements

Legislation:

1. Seek authority to suspend (or revoke) and deny registration if the motor carrier responsible for safety of the vehicle is under a Federal out of service (OOS) order, including authority to deny registration to motor carriers attempting to avoid FMCSA enforcement sanctions by obtaining a new DOT number under a different name and motor carriers under Federal operating authority sanctions.
2. Seek authority to retrieve license plates from carriers whose registration has been suspended based on FMCSA sanctions.

Registration Processes:

3. Check carrier safety status before issuing credentials and deny the registration if the motor carrier is prohibited from interstate operations.
4. Check carrier safety status during the registration period on a daily basis, and suspend the registrations of any vehicles assigned to motor carriers under a Federal OOS order or under Federal operating authority sanctions.
5. Check every Vehicle Identification Number (VIN) entered into the IRP system against the PRISM Target File to see if the vehicle is associated with a motor carrier that is under a Federal OOS order or under Federal operating authority sanctions.
6. Update the PRISM-SAFER database daily with vehicle registration information by uploading either a PRISM Vehicle File or CVIEW T0022 transactions.
7. Maintain/update the IRP Status Code within the vehicle registration records, and apply the 950 status code to vehicles that are suspended due to a Federal OOS order.

Data Collection and Forms:

8. Identify, collect and maintain the DOT Number and Tax Identification Number (TIN) for the motor carrier responsible for the safe operation of each vehicle being registered. States that issue DOT numbers must use standardized procedures to access the MCMIS database.
9. Validate the DOT Number and TIN before adding any DOT Number and TIN combination to the IRP registration files at the vehicle level (VIN).
10. Print and barcode the motor carrier information on the cab card if the motor carrier responsible for the safety of the vehicle is not expected to change during the registration year.
11. Incorporate PRISM requirements in temporary authority processes.

Communications and Training:

12. Collect the number of registration denials and suspensions/revocations due to a motor carrier being identified as under a Federal OOS order, and report to the Division Office on a quarterly basis.
13. Provide assistance to FMCSA Division Office for carrier-related registration information requested.

14. Provide assistance to State motor carrier law enforcement for carrier-related registration information requested.
15. Ensure PRISM training is provided to all appropriate IRP staff, motor carriers, and other interested parties, including training of IRP staff on key FMCSA applications such as MCMIS and Query Central, where applicable.

Law Enforcement Program Requirements

1. Identify vehicles assigned to carriers under a Federal OOS order or operating without operating authority when operating authority is required and take the appropriate enforcement action by placing the vehicle OOS.
2. Identify vehicles assigned to carriers on the PRISM Target File and prioritize those carriers for inspection.
3. In probable cause states, obtain authority to consider as a probable cause the FMCSA OOS condition and/or OOS order against the DOT number of the motor carrier responsible for safety.
4. Seek and implement authority to remove the license plates from vehicles associated with motor carriers that have been suspended for operating under a Federal OOS order.
5. Implement procedures to determine how to correct the unassigned or incorrectly assigned safety events.
6. Ensure PRISM training is provided to all enforcement officers.

**Questions & Answers
PRISM National Conference Call on December 4, 2013**

MCS-150 Form

- Question:** Many folks do not have computers or internet access, how are they going to comply with this new regulation?
Answer: They will need to register online. If they choose not to purchase their own, options include using a computer from a family member, library, or third party such as the IRP office.
- Question:** Is the requirement to update the MCS-150 every year for PRISM states being eliminated?
Answer: Yes, as part of the proposed changes for modifying PRISM IRP Requirements 8 and 9. There will be no responsibility for the State to check MCS-150 dates within their IRP systems, or to update the MCS-150 information on behalf of the motor carriers. In addition, FMCSA will roll-out new enforcement actions as part of the URS rule, such as de-activating a carrier's DOT number that does not adhere to the biennial updates. In sum, the PRISM program will no longer be used as a method of enforcing a carrier's compliance with the MCS-150 update requirements.
- Question:** If you're changing the form name MCS-150 to MCSA-1, shouldn't the PRISM requirements for 8 and 9 read as such?
Answer: The changes to requirements 8 and 9 will eliminate any language related to either the MCS-150 or MCSA-1, since the PRISM States will no longer need to enforce the update of the MCS-150 or MCSA-1 as part of the registration process.
- Question:** If we are a PRISM State, don't we have to ensure that the carrier updates their information annually?
Answer: No. Moving forward, the carrier will only be required to update their information biennially.
- Question:** What will happen to the MCS-150B?
Answer: It will no longer exist and will be replaced by the MCSA-1.

Active/Inactive DOT Numbers

- Question:** When a customer's DOT number is reactivated, how long will it take for the changes to hit the PRISM system? Currently it takes several days.
Answer: If a DOT Number is activated in MCMIS, the update will be available in the PRISM census file the following morning. If it is taking more than one day for the data to arrive in your local system, check to ensure that you are downloading and processing the PRISM Census File in the morning when the updated file becomes available. MCMIS can always be checked for the real-time status if there are technical issues.

7. **Question:** If carriers are deactivated and do what they are supposed to do to get reactivated, will they have to pay another \$300 each time this happens?
Answer: No, currently the \$300 fee is required at initial registration only.
8. **Question:** Will the carrier status of "Deactivated DOTs" be reflected in the CENSUS File as Carrier_status = 'I' or will there be a new status?
Answer: There will not be a new status. The status will be reflected in the CENSUS File that currently exists. The status will depend on the timing and if the biennial update occurs or not. One method will be the use of a MCSIP Step that would reflect "Deactivated DOT Number – Biennial Update Required", but the status field would remain as "A", for active, that will allow carriers to complete the MCS-150 update online. If there is a period of inactivity the carrier status will eventually be set to "I" for Inactive
9. **Question:** If a carrier has failed to update their MCSA-1 how long will it be before their DOT number is deactivated?
Answer: 30 days.
10. **Question:** Many carriers inactivate their operations during winter months, while they are not operating. How are those carriers going to register their vehicles and have the States comply with #8?
Answer: Checking for Inactive status is already a part of PRISM States' edit checks at the time of registration. The carriers should have an "ACTIVE" status at the time of registration.
11. **Question:** Are there other requirements that will change if Requirement 9 does not have the yearly DOT update? Do we need to look at the system changes that will need to be made by the states that are PRISM compliant?
Answer: All aspects relating to the updating of MCS-150 information would no longer be required by the State to be PRISM compliant (checking the MCS-150 date for the yearly update, no longer sending out MCS-150 information as part of the renewal process, updating the MCS-150 information in MCMIS on behalf of the motor carriers, etc.). As a result, there will be some system changes required to registration systems in States that are currently PRISM compliant. PRISM grant funds should be requested, if needed.

Fees for new DOT Numbers

12. **Question:** How are the intrastate carriers going to be identified so they aren't charged the \$300 fee?
Answer: Intrastate carriers will be identified by the data provided in the MCSA-1.
13. **Question:** Is the \$300 fee going to apply to carriers with DOT numbers already issued at the state level?
Answer: No. However if they decide to operate in interstate commerce and obtain operating authority they will be assessed the fee.

14. **Question:** So the \$300 covers DOT numbers and interstate for-hire authority. Will MC numbers be removed?

Answer: Yes. The \$300 covers registration for a USDOT number and/or operating authority. The DOT number will become the sole identifier for a motor carrier. Internally, the system will reflect the carrier's operating authority status.

Miscellaneous

15. **Questions:** There was confusion between the annual update requirement for PRISM states and the biennial requirement dictated by FMCSA. Given FMCSA's proposal, the states must only require that carriers have active DOT numbers, correct?

Answer: Yes.

16. **Question:** Will Mexican domiciled carriers applying for DOT numbers be able to obtain a PIN and apply online?

Answer: This is still under consideration. The answer to this question will be provided closer to the full implementation date for URS in October 2015.

17. **Question:** Will the new MCSIP Steps correlate to ISS scores?

Answer: No. The new proposed MCSIP step 51 for "High-Risk" will correlate to carriers with ISS scores in the range of 83 and above, that will place the carrier into a "High-Risk" category based on the Safety Measurement System (SMS). Any score of 75 or above equates to a message "INSPECT" in ISS. Adding all of the carriers with a score above 75 would add too many carriers to the PRISM Target File and is therefore impractical. We want to focus on a smaller group with the highest SMS scores. The proposed MCSIP Step 50 for "No Operating Authority" has no correlation to ISS scores.

18. **Question:** Are you planning on getting a sub-group of states together with FMCSA to discuss the new URS?

Answer: Yes. We plan to have another conference call with our state partners to discuss how URS will affect PRISM.

19. **Question:** Will there be a unique TIN and DOT number issued to rental/leasing companies that are true registrants only?

Answer: No, there are no registrant only carriers any longer. Federal Register Notice Vol. 78 No. 164 (52619) explains that "registrant-only" carriers have been eliminated. Former "registrant only" carriers will now be leased to a motor carrier, or will be a motor carrier.

Attachment C

MCSIP Step Chart February 2014

Step Number	Targeted at Roadside	Deny Registration	Step Description	External Description for Web Sites, Inspection Software, etc.
0	N	N	Not In MCSIP	Not Targeted
3	Y	N	Past Due CR	Targeted
7	Y	N	Mandatory CR	Targeted
22	N	N	Compliance Review Complete	Not Targeted
52	Y	Y	Biennial Update not Completed	Biennial Update not Completed
53	N	N	Not Implemented – Placeholder for future new OOSO	N/A
54	Y	Y	OOSO – Imminent Hazard	OOS: Imminent Hazard
55	Y	Y	OOSO – Unsat/Unfit	OOS: Unfit Motor Carrier
56	Y	Y	OOSO – New Entrant Revoked for Expedited Actions and Intrastate Out-of-Service	New Entrant – OOSO Revoked for Expedited Actions and Intrastate Out-of-Service
57	Y	Y	OOSO – Failure to Pay Fine for Safety Violation	OOS: Failure to Pay
58	Y	Y	OOSO – New Entrant Revoked for Expedited Actions	New Entrant – OOSO Revoked for Expedited Actions
59	Y	N	Intrastate Out-of-Service	Intrastate Out-of-Service
60	Y	Y	OOSO – Imminent Hazard and Intrastate Out-of-Service	OOS: Imminent Hazard and Intrastate Out-of-Service
61	Y	Y	OOSO – Unsat/Unfit and Intrastate Out-of-Service	OOS: Unfit Motor Carrier and Intrastate Out-of-Service
62	Y	Y	OOSO – Failure to Pay and Intrastate Out-of-Service	OOS: Failure to Pay and Intrastate Out-of-Service
63	Y	Y	OOSO – New Entrant Revoked for Refusal of Audit/No Contact	New Entrant – OOSO Revoked for Refusal of Audit/No Contact

Step Number	Targeted at Roadside	Deny Registration	Step Description	External Description for Web Sites, Inspection Software, etc.
64	Y	Y	OOSO – New Entrant Revoked for Failure of Safety Audit	New Entrant – OOSO Revoked for Failure of Safety Audit
65	Y	Y	OOSO –Operating without Authority	OOS: Operating without Authority
66	Y	Y	OOSO –Operating without Authority and Intrastate Out-of-Service	OOS: Operating without Authority and Intrastate Out-of-Service
67	Y	Y	OOSO – New Entrant Revoked for Refusal of Audit/No Contact and Intrastate Out-of-Service	New Entrant – OOSO Revoked for Refusal of Audit/No Contact and Intrastate Out-of-Service
68	Y	Y	OOSO – New Entrant Revoked for Failure of Safety Audit and Intrastate Out-of-Service	New Entrant – OOSO Revoked for Failure of Safety Audit and Intrastate Out-of-Service
99	N	N	Carrier Out of Business	Not Targeted