

CSA Study Results Released

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On June 27, 2017, the National Academy of Sciences (“NAS”) released its highly anticipated report on the Compliance, Safety, and Accountability (“CSA”) initiative as mandated by Congress in the Fixing America’s Surface Transportation Act of 2015 (the “FAST Act”). The report recommends that the United States Department of Transportation (“USDOT”) substantially revise the carrier rating system in order to make it more reliable in assessing a motor carrier’s safety risk.

Although the report indicated that the CSA program and the Safety Measurement System (“SMS”) are structured in a conceptually reasonable way, the report concluded that much of the analysis is done on an *ad hoc* basis and by methods that have not been statistically validated. The NAS based its findings on factors such as data insufficiency, use of relative rankings, use of non-fault or non-preventable crashes, state variations in inspections and violations, lack of consistency in violation coding, and a lack of transparency of the SMS algorithm. All of this suggests the need for a more statistically principled approach to assessing the safety risk of motor carriers.

Not surprisingly, the NAS also recommended that USDOT not make motor carriers’ SMS results and scores available to the public until further analysis is conducted.

In short, the report vindicates to a large extent those shippers, motor carriers, brokers, and insurers who have had doubts about the probative value of CSA-related data ever since CSA was first introduced. Pursuant to the requirements of the 2015 FAST Act, USDOT will have 120 days to respond to the report issued by NAS. Stay tuned for updates.

In the meantime, if you have questions about the report or the CSA program in general, please feel free to contact a member of [Benesch’s Transportation & Logistics Practice Group](#).

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